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# Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination against Women**

## Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

### Combined third and fourth periodic reports of States parties

### Viet Nam*

* The present document is being issued without formal editing.

For the initial report submitted by the Government of Viet Nam, see CEDAW/C/5/Add.25, which was considered by the Committee at its fifth session. For the second periodic report, see CEDAW/C/VNM/2.

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# PREAMBLE

In implementing Article 18 of the Convention and under the guidance of the CEDAW Committee, Viet Nam has submitted to the U.N. two reports on the implementation of the Convention in Viet Nam. The First Report was on the implementation of the Convention between 1981 and 1984 and the Second dealing with the period betwween 1985 and1998.

This combined Third and Fourth Report presented hereinafter will deal with the implementation of the CEDAW Convention in Viet Nam from 1998 to 2000 and will be submitted with the Second Report at the 25th Session as arranged by CEDAW Committee. Although the period under review is rather short, it was precisely the stage during which Viet Nam had to cope with major challenges stemming from the inherent weaknesses of the economy, adverse impacts of the regional financial-economic crisis and natural calamities. All these difficulties hindered the pace of the country's socio-economic development. This Report also referred to efforts made by the Party, State and people of Viet Nam in the solutions of the problems being faced in order to overcome difficulties, promote the economic development, guarantee the rights and interests of the people, particularly of women.

This Report, on the one hand, inherits the basic content of the Second Report and, on the other, updates data and informations about Viet Nam and its people, legal changes to further enhance social democratisation and strengthen the rule of law as well as advances in women's political and economic status over the last three years. The implementation of each specific provision, obstacles being faced and the orientation to overcome them as well as valuable achievements and measures to bring them into play will be presented according to the format of the Convention.

The report has the following parts:

Preamble
Part I: General Issues.
Part II: Implementation of the Convention.
Conclusion.
Annexes and Reference Sources

To finalize this report, a Drafting Committee was established with 12 members representing related Ministries and Departments of the Government and socio-political organizations. This Committee is headed by a Deputy Foreign Minister who also serves as Vice Chairman of the Vietnamese National Committee for the Advancement of Women.

In preparation for this report, the Drafting Committee made many efforts to collect and analyze statistical data and hold various working sessions with Government's agencies,socio-political organizations, representatives of women from all walks of life and scholars in order to benefit from their respective inputs.

With its point of view already presented in the Second periodic Report, the Vietnamese Government continues to make reservation on Paragraph 1 Article 29 of the

Convention. However, the withdrawal of this reservation would be considered at an appropriate time.

In the context of its own conditions, the Vietnamese Government is also considering signing the Optional Protocol to the Convention.

# PART I

## GENERAL ISSUES

### Viet Nam land and people

The Socialist Republic of Viet Nam lies in Southeast Asia and has a territorial area of more than 331,000 sq.km and a population of 76,787 million in 1999. Of the total population, women account for 50,8%. The 1999 population growth rate was 1.58%. Urban population accounts for 23.5%. 37.7% of the population are under 15 years old while 5.4% are over 65. Population density is 231 persons/sq. km. The ratio of households headed by women is 21.6%. People of regular working age and working capacity are 43.3 million, accounting for over 56.5% of the population. Of this ,women make up 50.6%. Working people involved in different sectors of the national economy were more than 38 million in 1999, accounting for 50% of the total population, among them women made up 48%. The average life expectancy was 67, of which 64.5 was for men and 69.5 for women.

Ha Noi, the capital of Viet Nam, had a population of 2.672 million in 1999. Viet Nam has 54 ethnic nationalities with the majority being the King (Viet), representing 86.8% of the population.

In 1999, 76% of the country's population live by farming , mainly by manual work and are much dependent on natural conditions. The shares of economic sectors in the country's GDP in 1999 were: agriculture, forestry and fisheries 25.6%; industries and construction 33.7% and services 40.7%. The country's average GDP per capita was US$ 363 in 1999. And its inflation rate was 2.0% for the same year.

Since 1998, Viet Nam has been pursuing the political line of " Doimoi" policy put forward by the VI National Congress of the Communist Party of Viet Nam with the following fundamental tasks: To enhance industrialisation and modernisation and international integration; To develop a multi-components economy operating along market mechanism under State management; to further democratization of the social life on the basis of building a Socialist State of law, a state of the people, by the people and for the people; To broaden international relations in the spirit of Viet Nam's wishes to befriend all nations in the world, To strive for peace, independence and sustainable development. In 1998, Viet Nam became a full member of the Asia Pacific Economic Cooperation and is now in the process of negotiations for accession into the World Trade Organisation.

During the 1998-2000 period, Viet Nam has been entering the final stage of implementing the "Strategy for Socio-Economic Stabilisation and Development toward the Year 2000" with the basic concept of placing people at the center of national development, tapping all the potentials of every individual and of the whole nation, harmoniously combining economic development with social development.

The most salient feature of this period is the difficulties and challenges being faced by Viet Nam in the context of the regional financial-economic crisis. However, the country

adopted appropriate policies to mitigate the impacts of the crisis in order to maintain political stability and further economic, cultural and social development .

Over the past three years, Viet Nam achieved the following economic targets: GDP growth rate was 8.2% in 1997. However, it only reached 5.76% and 4.8% in 1998 and 1999 respectively due to the adverse impacts of the regional financial economic crisis. Thanks to sound policies and concrete solutions, Viet Nam has been able to reverse the declining trend. GDP for the year 2000 is estimated to reach 6%. The inflation rate was maintained at the level below two digits: 3.6% in 1997 and 3.9% in 1999. In 1999, Viet Nam's food production reached a record of 34.3 million metric tons in paddy-equivalent showing an increase of 2.4 million tonnes as compared with 1998, thus creating a firm foundation to guarantee food security, stabilising people's life and increasing export. For the first time ever, the Vietnam rice export volume reached 4.5 million tonnes. The industrial production output increased by 12.1% in 1998 and 10.4% in 1999; and the planned increase for 2000 is 14%. Export value went up by 23.3% in 1999.

While dealing with economic problems, the Government has been focusing on addressing social and cultural issues; taking the initiative to explore financial sources for development investment and mobilizing internal strength. Total social development expenditure increased annually. Specifically, social development spending was VND 28.8 trillion in 1998, up to 29.9 trillion in 1999 and VND 30.9 trillion in 2000, accounting for 32-35% of total budget expenditure; spending on child development from VND 11.9 trillion in 1998 to 12.5 trillion in 1999 and 13.7 trillion in 2000, accounting for more than 14% of total budget expenditure.

In addition to those economic successes, Viet Nam has also recorded encouraging achievements in social development as reflected in the following fields:

***Job Generation*** is an important national target programmes. On the one hand, the State creates favourable conditions in terms of law and policy such as amending the Enterprise Law and the Law on Foreign Investment to encourage investment in production and job generation. On the other hand, the State has established a national fund for generating jobs which provides preferential loans to support self-employment. As a result, 1.2 million jobs were created every year. However, affected by many factors, the urban unemployment rate among the working age over the last three years increased from 6.01% in 1997 to 6.85% in 1998 and to 7.4% in 1999 while the rate among women was 8.0%.

***Hunger Eradication and Poverty Reduction*** (HEPR): this important national target programme is an integrated inter-ministerial programme implemented in different localities , poverty stricken areas and communes. The Government has provided its direction and management along the orientation that available resources of and for poor areas and communes be concentrated on poverty reduction. Budget for hunger eradication and poverty reduction was given high priority and increased every year. Budget for this purpose in the year 2000 alone increases by 42% as against that in 1999. It is the Government's policy to invest VND 400 million on average for each of 1.870 poor communes. As a result, Viet Nam recorded the highest ratio in hunger eradication and poverty reduction as compared to all regional countries. Specific examples could be found in the fact that in 1999 340.000 households came out of poverty. The poverty rate was

reduced from 17.7% in 1997 to 13.0% in 1999 and estimated to be at 10-11% in 2000 and no households will suffer from chronic hunger.

***Education and Training*** which is always one of Viet Nam's national priorities, has made significant progress over the past years. From a low education level, Viet Nam, in 1999, had literacy rate of 91% among the population of 10 years old and above, and of 88% among women. By July 2000, Viet Nam fulfilled the national targets of illiteracy eradication and primary education universalisation for all of its 61 provinces and cities throughout the country. Progress in terms of gender-equality in the field of education can be seen at various levels : 47.9% in primary schools, 46.9% in junior secondary schools, 46.8% in senior secondary schools are school-girls, 51.9% in colleges, 48.6% in universities are girl-students while the proportion of women teachers is over 70%. Vocational training has become one of an important part of the national education system. It includes State formal vocational schools, short-term vocational training centers and vocational orientation centers. The Government has established the General Department for Vocational Training under the Ministry of Labour, Invalids and Social Affairs to strenghthen the vocational education and increase the percentage of skilled workers aiming at achieving the target of 22-25% trained workers in the total work force by the year 2000..

***Public health care*** : the State has increased budget expenditure for health care to 10% a year and thanks to international assistance, the public health care sector continues to make significant progress. While the percentage of children benefiting from vaccination was 85% in the 1990-1995, its increase is more than 90% in 1998-2000. The number of death by contagious diseases has dropped sharply. The mortality rate of children under one was reduced to 35‰ in 2000 from 36.7‰ in 1999 and 44.25 ‰ in 1997. The mortality rate among children under five has fallen to 44‰ in 2000 from 48.6‰ in 1999 and 61‰ in 1997. The maternal mortality has gone down to 0.9% in 1999 from 1% in 1997. The malnutrition rate among children under five has come down to 36.7% in 1999 from 44.9% in 1995, .... More than 90% of the population were provided with health care services in communes, wards and townships. By 1999, the local health care network has been strengthened and extended from provinces to districts and communes, and even to villages and hamlets in the whole country. Health care has become the joint responsibility of the authorities , of the community and of all people at all levels with the heath sector playing a crucial role.

***Population and Family Planning***: In the spirit of the Cairo Programme of Action, the population and family planning activities have focused more attention on reproductive health, gender equality, promotion of women's status .... The population growth rate was reduced from 1.7% in 1997 down to 1.58% in 1999 and expected to be 1.53% in 2000. On the average, the number of children per women of reproductive age dropped from 2.69 in 1996 to 2.3 and is moving to 2.1. The United Nations has recognized and highly appreciated Viet Nam's efforts and achievements in the field of population and development by awarding Viet Nam the 1999 UN Prize for Population.

Credits for these achievements should go to vietnamese women's valuable contributions and this is an evidence of gender equality in the country's cause of socio-economic development.

In conclusion, in three years from 1998 to 2000, in the face of daunting challenges brought about by the regional financial-economic crisis and serious consequences of recurrent natural calamities, the Party and Government of Viet Nam has been continuing its "Doimoi" policy and recorded encouraging achievements in economic growth and social development. People's life has been gradually stabilised and improved and security and socio-political stability maintained. These are basic conditions for creating more opportunities for women to participate in and benefit, on an equal footing ,from the country's socio-economic development.

General political structure

Over the past three years, Viet Nam's political regime was stable. The State apparatus remained as mentioned in the Second Report. State agencies from the central to local levels continued to be strengthened and improved ,activities of which were conducted according to the principles of the Constitution and law, thus ensuring the better exercise of functions and implementation of the tasks of a *State of the people, by the people and for the people*.

**The general legal framework where human rights are protected**

The legal framework and organisational structure presented in the Second Report and related to the function of protecting human's rights in Viet Nam actually remain as such and conserve their avaibility. This report only brings an update on new points and additional information.

***On Law Making***, over the past three years, the National Assembly and its Standing Committee adopted one code, 18 laws and 19 ordinances to further institutionalise the Party's strategic guidance and policies , create legal foundations for the protection of human's rights in general and women's equal rights in particular (see Annexes). Principles and provisions of CEDAW are studied and transformed into specific legal norms in the law-making process in accordance with the provisions of the Ordinances on the Conclusion and Implementation of International Treaties adopted by the Standing Committee of the National Assembly in 1998.

***The System of State Agencies*** which exercise the function of protecting the law, guaranteeing human's rights and opposing discrimination against women were further strengthened, especially in judiciary bodies. Our contingent of judges and people's jurors were strengthened at all levels. The number of judges of the whole country is now more than 3000, among them women account for 24%. The number of people's jurors elected by People's Council for 1999-2004 is 11,056, among them women account for more than 30%. There are 11,471 lawyers throughout the country, among them 20% are women. There are nearly 200 notaries public, among them 25% are women. There are 4,268 law enforcement officials, among them nearly 30% are women. State institutions continue to be strengthened, improved and promoted. This is an important condition to guarantee the exercise of fundamental rights of the people, including women. Gender awareness has been promoted in State agencies. As a result, gender discrimination was punished more strictly than before.

**Information and dissemination of law**

The introduction and dissemination of fundamental legal documents on human rights in Viet Nam have been implementing over the last three years and have recorded positive results. Viet Nam's National Political Publishing House publishes in Vietnamese all important UN Conventions to which Viet Nam has acceeded. The Viet Nam National Committee on the Advancement of Women has circulated widely nearly 30,000 copies of the CEDAW Convention. In schools and universities, teaching and research curricula on human rights have been compiled and included in a subject called "civic education" or made a part of law studies. A teaching programme on human rights (60 hours) for key high-ranking Party and State officials has been introduced in the Ho Chi Minh National Political Academy since 1998. Many workshops, training on human rights in general and on women's rights, and rights of children in particular have been held by various Vietnamese agencies and organisations.

Especially, after completing the Second Report reviewing the implementation of the CEDAW Convention, the National Committee held a conference to make public, circulate thousands of copies of the report, conducted workshops on women's rights on the occasion of the 20th Anniversary of the coming into force of the CEDAW Convention, coordinated with the Viet Nam Women's Union to organise training on the substance of the CEDAW Convention for the Union's staff. The content of the Convention was introduced in the mass media. Daily newspapers and weekly magazines distributed nation-wide like the People, Labour, Vanguard, Women and Countryside Today, People's Army, Security and Law ... carry news and informations on the protection of human rights or equal rights between men and women in general and criticize the discrimination against women in particular.

In implementation of the 1998-2000 law dissemination and education programme of the Government, State agencies have focused on introducing the content of legal documents which emphasize the principle of the protection of women and children's rights and opposing any forms of gender discrimination. Decision 1067 on 25th November 1998 by the Prime Minister approving the Programme on the setting up of law "bookshelves" in communes, wards and townships has helped local authorities and people better access to legal information. By the end of 1999, 30 % provinces and cities throughout the country has built "law bookshelves" in 100% communes, wards and townships including mountainous provinces whose populations are largely composed of ethnic minorities. Rich and diversified information and dissemination activities by mass organisations, including Women's Union, Farmers' Association have contributed, in a significant way, to raising people and women's awareness on matters of law.

# PART II

## IMPLEMENTATION OF CEDAW PROVISIONS

### Article 1

### The concept of " Discrimination against women"

The principle of *equality between the sexes and non-discrimination against women* had been observing fully and consistently in all areas of political , social and economic life of Viet Nam in a period in which strong impetus is given to the industrialization, modernization and international integration of the country. Sustainable economic development along with social equity and non-discrimination against any economic component, any part of the population, any gender are important goals as clearly set forth in the social and economic development policies and laws of the State. The law-making process and law execution and enforcement in Viet Nam have always been guided by the leading views and objectives for action of the Vietnamese State, that is to resolutely eliminate all forms of gender-based discrimination, hindrance and constraint which may or in order to do harm to and nullify and deny the rights of women to recognition, enjoyment and exertise of human rights and fundamental freedoms in political, social, economic, cultural and other fields, as well as to ensure to the utmost the equality between the sexes with priority given to the protection of the interests of women and children.

In all normative legal documents promulgated in the past three years, the constitutional principle of "all citizens are equal before the law" continued to be translated in concrete terms in all areas and held in high regard in social life. For the Vietnamese people in general and women in mountainous and remote areas in particular and especially for women of ethnic minorities, the Vietnamese Government has always accorded high priority on its agenda and created favorable conditions for them to fully exercise their rights to equal opportunities for economic development and to participate in cultural and social life on an equal footing.

At present, the issue of equality between the sexes is no longer just a manifesto but has become an essential and guiding principle whose validity exerts its powerful thrust throughout the State legal system concerning human rights and has been observed in practice through effective measures. Equality between the sexes is respected by the society and observed by aware people both in social life and within the family.

Article 2

**Measures to eliminate all forms of discrimination against women**

***2.1 On the Principle of Equality between the sexes***

Measures to eliminate all forms of discrimination as mentioned in the review of Article 2 in the Second Report remain effective and are being carried out.

In the past three years, in the law-making process, the National Assembly and government Agencies have paid adequate attention to the principle of equality between the sexes. In addition, the principle of equality between the sexes has also been put into concrete terms in legal documents promulgated from 1998 to June 2000, which provided women with equal legal capacity in all areas: in the economic field (The Law on Enterprises, the revised Law on the Promotion of Domestic Investment, the revised Law on Foreign Investment, etc.); in the field of education and science and technology (The Law on Education, the Law on Science and Technology, etc.); in political and social fields (The Ordinance on state employees, The Ordinance on Preferential Treatment for Revolutionaries, War Martyrs and Martyr's Family, War Invalids, etc.). The task of eliminating discrimination against women has also been implemented through government agencies' activities as well as the organization and operation principles of unions, social and professional organizations of which members are women.

In reality, in political, civil, economic, cultural and social fields, Vietnamese women, to various extent, have gained equality. In 1998, in the economic field, women accounted for 53% of total labour force in agriculture, forestry and fishery, 65% in light industry, 68.6% in trade and services, 56% in financial and credit sector, 52.3% in health care, 73.4% in education and training, 56.3% in tourism and 30% in culture and arts.

***2.2 On further institutionalization of the Principle of Equality between Men and Women:***

The National Assembly and Government at all levels continue to consolidate and complete legal documents governing the responsibility of related government agencies, social organizations and citizens in respecting and protecting the legitimate rights and interests of citizens and the principle of non-discrimination against women.

The new Penal Code of Vietnam adopted by the National Assembly on 21st December 1999 has many articles stipulating measures to protect women and also increases the sentence imposing on offence against victims that are women. These are Articles 111 and 112, Articles 113 and 114 on rape and sexual abuse, Articles 115, 116 on having sex with children, Articles 119 and 120 on trafficking in women and children, etc. Concerning the severity of offences, the Penal Code stipulates that one of aggravating circumstances is the offence against pregnant women (Article 48).

According to Article 70 of the 2000 Revised Criminal Procedure Code, if female convicts and defendants are pregnant or raising children under 36 months, other preventive measures will be applied. Similarly, Article 35 of the 1999 Penal Code provides that death sentence will not be applied to pregnant women or those who are raising children under 36

months when they commit crimes or are standing trial; neither is death sentence served towards pregnant women or women raising children under 36 months but will be commuted to life imprisonment.

The Complaint and Denunciation Law passed by the National Assembly in 1998 stipulates that any citizen, regardless of his/her sex, religion, family class affiliation, social position, is entitled to denunciate against administrative decisions or doings of administrative agencies, of competent persons working in these agencies when he/she has grounds to claim that such decision or doing is unlawful and violating his/her rights and legitimate interests. (Article 1)

The Ordinance on Amendments and Revisions of a number of Articles in the 1998 Ordinance on Handling Administrative Cases (Article 3) states that if a woman brings a case to a court, she has the equal right to a man's to claim compensation for damage caused by a wrong administrative decision or doing. The 1999 Labour Code further says a woman dismissed during the time of pregnancy or raising children has the right to bring the case to court to protect her interests.

***2.3. Eliminating of all forms of discrimination, protecting women's Equal Rights and other legitimate interests:***

*On Administrative Measures*, the 1998 Complaint and Denunciation Law (Article 6) provides that those who are responsible for handling complaints and denunciations but refuse to do so, or do so irresponsibly or intentionally do so illegally will be strictly punished and as required by law, they will have to pay compensation for damage caused by their action or inaction. Article 16 prohibits any interference, threat, revenge and mistreatment against those who complain and denounce; any disclosure of information about those who complain and denounce and defense for those complained about and denounced against in order to ensure lawful complaints and denunciations and lawful handling of complaints and denunciations. Therefore, women has equal opportunities to exercise their right to complain and denounce to competent individuals and state agencies when their rights and lawful interests are violated, especially that violation is of gender discrimination nature.

*On Judiciary Measures*, as provided for in the 1998 Ordinance on Civil Cases, the 1994 Ordinance on Economic Cases and the 1996 Ordinance on Labour Disputes, women are entitled to ask courts to protect their rights and interests from being violated in these areas. According to the People's Supreme Court's statistics, among the divorce cases that courts at all level have handled, the number of women plaintiffs accounted for 42.08% in 1998 and 39.73% in 1999. The percentage of co-consensual divorce cases in these two years was 35.73% and 36.33% respectively. Also in these years, first-instance courts in provinces and cities sentenced 1,337 defendants for raping children among whom 7 to death and 175 to life imprisonment.

The Penal Code is the highest legal base for the court to handle violations of women's equal rights. It is very instrumental in preventing and fighting against criminals, protecting citizens' rights and interests particularly women's equal rights in all areas.

There are no exceptions to strict punishment applied to those who violate women's equal rights and interests even if they are husbands, children, fathers, mothers, brothers, sisters or chiefs and colleagues.

***2.4. Refraining from acts of discrimination:***

In the past three years, *the principle of refraining from discriminatory acts or activities against women* has been always strictly observed by Viet Nam's central and local agencies, social organizations and enterprises. Many special measures have been taken to create more opportunities and conditions for women to exercise their equal rights with men in all areas.

The principle of non-discrimination and non-prejudice against women has been always taken into account in law making, implementation and daily trial at Viet Nam's courts. Women and children's rights and interests are also carefully considered in the implementation of economic, social, cultural, scientific and technological development policies and other activities of Viet Nam. Women are enabled to participate in these activities and none of them are of gender discrimination nature.

Reality shows that the struggle to protect women's equal rights is a difficult and complicated task in any country. Although in the past three years Viet Nam has made important achievements in this respect, no less difficulties and deficiencies still remain.

Article 3

**Ensuring full development and advancement of women**

***3.1. Legal measures:***

On the basis of provisions of the 1992 Constitution and the actual situation of the country, since 1998, a number of articles and legal documents have been considered, supplemented and amended to improve the effectiveness of its implementation and ensure legitimate rights and obligations of citizens, including women's development and advancement in all fields.

**Women's rights in the Political field** are reaffirmed in the following documents: *The Law on Nationality (1998), Law on Complaint and Denunciation (1998), Decree No.29/1998/ND-CP dated 11th May , 1998 on the promulgation of Regulation on Democracy in Communes and Wards, Government Decree No. 71/1998/ND-CP dated 8th September , 1998 on the Promulgation of the Regulation on Democracy in Activities of Public offices*. It was provided for in these documents that women, as citizens, have the rights to be accorded Vietnamese nationality, to complain and denounce, and to know, carry out, discuss and control activities of localities and offices.

**Women's rights in Economic, Civil and Labour fields** are reflected in legal documents, particularly in the *Law amending and supplementing a number of articles of the Land Law (1998), the Enterprise Law (1999), Ordinance on the Disabled (1998), Ordinance on the Organization and Process of Reconciliation at the Grassroots Level (1999)*. Though these documents do not contain specific articles on women,however, as citizens, women have the right to:

-Establish and manage enterprises, contribute capital to enterprises;

-Be respected in voluntary reconciliation of civil disputes;

-Have all five rights: to exchange, transfer, lease, inherit and collateralize land- use right.

-Enjoy guarantee and favourable conditions to exercise their rights and bring into full play their personal capability to stabilize their life, integrate themselves into the community and take part in social activities if they are disabled.

-Be granted with allowances and preferential treatment in accordance with the number of years in service or years in military/para-military service.

At the same time, the Party and State continue to direct and instruct policy-making agencies to further complete and promulgate new legal documents. Examples of this can be found in the preparations being made for the amendments and supplements of a number of articles to the Labour Code, Construction Code and Law on Social Insurance.

**Women's rights to Study and Scientific Research** are reflected in the *1998 Law on Education and the 2000 Law on Science and Technology* which stipulates that study is the right and obligation of citizens and all citizens, regardless of their ethnic origin, religion, belief, sex, family background, social status or economic condition, have equal opportunities to study and to take part in scientific and technological activities.

**Women's rights in Family life** are indicated in the *revised 1999 Criminal Code, the 2000 Law on Marriage and the Family* (Reference at Article 4 and 16 of this Report).

***3.2. Developing organizations and activities in favour of Women:***

Organizations striving for the advancement and development of women continue to be strengthened and expanded, particularly the National Committee for the Advancement of Women, the Vietnamese Women's Union and the Board for Women Affairs under the Viet Nam's Labour Confederation. In 1999, two more units established their own Sub-Committees for the Advancement of Women, making the number of Sub-committees of this kind at Ministries and administrations and agencies at central level to 50 out of the total 53. Currently, under the National Committee's management, the network of Sub-committees for the Advancement of Women continues to expand to agencies under hte authority of the Ministries and administrations as well as authorities of districts, towns, communes and wards.

The action plan for the advancement of women up to 2000 is being further implemented and would be wrapped up by the Government at the end of 2000. In general, there have been more visible changes, to various degrees, in perceptions and actions of authorities at different levels and fields and remarkable results have been recorded in hunger eradication and poverty reduction, in education, healthcare and in increased participation of women in executive levels and management. Women movements have developed strongly with the key role played by the Viet Nam Women's Union, which is recognized by the authorities of the Party and Administration in all localities nation-wide.

***3.3. Developing researches on Women and Gender Equality:***

Researches on the theme of women and gender have, over the last few years. gained momentum in intensity and scope. According to incomplete statistics of the National Committee, between 1993 and 1999, 213 research studies and surveys on women and gender equality were done.

Apart from two State agencies and 10 other Research and Training Centres as indicated in the Second Report, active and effective contributions were made by the Research Unit of the Viet Nam Women's Union and five Poverty Alleviation Centres at Universities, which mainly target women. Gender approaches have been given greater attention in socio-economic research works in general. Gender studies quickly catch up with the situation in Viet Nam and researches have diversified into many areas. Their focus has shifted from approaches to women in development to gender study and development, thus providing specific data and materials on both sexes, making clear the gap between male and female. These studies have basically constituted a data base for agencies to propose amendments and supplements to existing laws and policies that relate to women and children. Many proposals have, in fact, proved to be effective.

***3.4. Other supportive measures:***

The supportive measures as pointed out in the Second Report have been further developed and promoted.

The Viet Nam Women's Union continues to enjoy funds and facilities granted by the Government and local authorities for their annual activities in line with the 1988 Government Decision No 163/HDBT of the then Council of Ministers (now the Government).

According to the statistics released by the National Committee, during the period of 1993-1999, there were 263 sizeable and small-scale projects to enhance women's capacity and improve their life. Though accurate figures are not available yet, in almost all ODA projects, gender has been integrated and women are identified as the priority group. At present, the Central Committee of the Viet Nam Women's Union is managing and executing 39 projects relating to women in development with the estimated funding of US$ 8,732,062. The Viet Nam Labour Confederation has provided loans worth of VND 137.14 billion to 10,000 female workers and personnel to develop household economy.

The Viet Nam Women's Union at central, provincial and district levels has a unit in charge of dealing with letters of complaint. In 1998, the Central Committee of the Viet Nam Women's Union decided to set up the Legal Consultancy Office for Women, an effective tool for the Union to protect women's rights and interests. In addition, the network of reconciliation teams was set up under the Government's instruction in every commune and ward of the country and has made contributions to social stability, order and wellbeing of the population in general.

It can be said that, as a follow-up of the Second Report, tremendous efforts have been made to ensure women's development and advancement. Women's rights as provided for in legal documents and their observance have significantly contributed to enhancing women's position.

However, in order to ensure women's development and enhancement, a number of practical issues need to be examined and properly addressed. In law making, gender issue needs to be integrated in the amendments and supplements to several articles relating to women in the Labour Code, the Social Insurance Law, the Land Law, etc. Greater importance must be given to the observance of legal articles and policies on women in practice. The Government has instructed branches and agencies to sum up the implementation of the National Plan of Action for the Advancement of Women by the year 2000, on the basis of which a national strategy for the advancement of women for the period between 2001-2010 and between 2001-2005 would be developed.

## Article 4

### Special measures to promote gender equality

Since 1998, the State of Viet Nam has followed the approaches of the CEDAW on Article 4, while continuing to adopt special measures to promote gender equality as mentioned in the Second Report. This report describes a number of additional new measures and relevant contents.

### *4.1 Additional special measures for the Protection of Women*

Since 1998, the State of Viet Nam has promulgated various legal documents which contain special provisions on women protection. They include *Decree 89/1998-ND-CP issuing Regulations on Temporary Arrest and Detention and Decree 93/1998/ND-CP concerning Amendments of and Supplements to a number of articles of the Regulations on Social Insurance*. These legal documents provide that:

-Women committing crimes are detained separately and granted additional allowances to buy necessities for their personal hygiene.

- Working women who have not yet reached the legally defined retirement age of 55 but have already paid social insurance for 30 years or more are entitled to retirement and full pension in accordance with provisions of social insurance.

### *4.2 Measures for the Protection of Mothers:*

The *1999 Penal Code* stipulates: death sentences are not applied to pregnant mothers or mothers raising children under 36 months of age. In such cases, death sentences are commuted to life ones. At the same time, provisions for mitigating circumstances for oregnent women remain ( Article 46) while those for aggravating circumstances foe ofeences whose victims are pregnant women and children are provided for ( in Articles 48,93,103 and 104).

A number of new legal documents ( Government Decree 93/1998/ND-CP Concerning the Amendment of and Addition to a Number of Articles on Regulation on Social Insurance, Decree 96/1998-CP-ND in 1998 Concerning the Regulations on Job Leaving for Public Servants and Cadres, Government Decree 97/1998/ND-CP in 1998 on disciplines and material responsibility of public servants) stipulate:

- Women are eligible to social insurance benefits during the period of maternity leave. During this period, female workers and employees are exempt from social insurance payments which are financed by the Social Insurance Fund.
- Actions should not be taken to dismiss female cadres and civil servants during pregancy, on maternity leave or raising a child under 12 months of age unless the women involved wish to leave their jobs; disciplinary measures are temporarily not applied to women on maternity leave and raising a child under 12 months of age, disciplinary actions of forcible leaving job will not be applied to working women who are pregnant or raising children under 12 months.

4.3. The Implementation of Special Measures an Noteworthy Issues:

Over the past three years, special measues aimed at promoting gender equality have proven effective especially in the areas of education and training, marriage and the family and the protection of women. However, temporary special measures aimed at protecting female workers and supporting business women have not worked as well as expected. For instance, some enterprises still use the list of prohibited jobs for female workers as an excuse to refuse recruiting women or remove them office.

The Prime Minister has recently tasked relevant Ministries and agencies to review. study and submit a plan concerning the adjustment of the so cial insurance payment

scheme for early retiring women and the issue of retirement age for women ( Which is now five years lower than their male counterparts) because conditions have changed and thus require a new perspective ( see Article 11). The issue of the duration of maternity leave for female workers is still under review and discussion by all relevant agencies at all levels in the course of developing the Social Insurance Law.

*Article 5*

## ROLE OF GENDER AND PREJUDICES

In recent years, Viet Nam continues taking additional measues to eliminate gender prejudices and gradually change perception of the traditional role of men and women as mentioned earlier in the Second Report.

It is the Party and state of Viet Nam's policy to build an advanced culture deeply imbued with national identity with a view to raising the population's awarenwss, getting more access to updated information and knowledge, eliminating backward customs including the perception of holding men in high esteem and women in inferiority. The Government issued Directive No 24/1998-CT-TTg dated 19 June, 1998 on Developing and Implementing Regulations and Rules of Villages, Hamlets and Residential Blocks, in order to contribute to promotin, building codes of ethics, good morals and customs, civilized way of life, cultural families anf dealing better with relationship among family members. The agencies and branches cocerned have taken concrete and diverse measures to implement the above- mentioned lines.

The Campaign on " bulding a civilized lifestyle and a new cultural family" continues to a mass movement among the population and is considered a criteria in evaluating communes and residential blocks' activities. This also creates a favourable opportunity for the whole population to take part in eliminating discrimination against women and backward customs detrimental to women and children. Activities undertaken by mass organizations, especially the Women's Union, Youth Union, Farmers' Association and the Fartherland Front at the grassroots level have made significant contributions to the campaign. Propaganda and dissemination programmes within the framework of the Propaganda Campaign on Gender Equality and the Advancement of Women launched by the National Committee in the whole year of 1999 have brought about positive changes in the awareness of people and mass media. As a result, there are more media products, educational documents and publications with proper perception on gender, fully reflecting the roles of gender and women in the family and society and contributing significantly to changing prejudices and wrong perception about gender. Notably among them are newspapers published by the Women's Union and broadcasting programmes and TV shows dealing with women's themes such as "At Home on Sunday"(co-responsibilities of wife and husband in household harmonious management) or "Tall Trees give Great Shadow"(role and capabilities of the aging in the educational protection of the younger generations), etc.

A salient feature of the past three years is the education activities aimed at raising gender awareness among government officials, social organizations and the population.

Within the framework of project VIE/96/001 funded by the Government and UNDP, the National Committee , in coordination with the Women's Union compiled a set of standard textbooks on analyzing and formulating gender policy, trained a contingent of 60 core lecturers; and held training courses for 300 government officials and over 1000 women cadres Along that line, training courses on gender have been organized in various ministries, branches, central agencies and in most provinces and cities throughout the country. Each branch and sector deals with specific subjects for their target group. For instance, the Ministry of Labour, Invalids and Social Affairs held training courses for the 300 staff on Women's Rights to Work, the Viet Nam Labour Confederation for its 1,500 staff on Gender Equality in worki and employment, the Government Personnel and Organization Commission held training courses on Gender issue in public service. In particular, gender dimension has been integrated in the training programme for senior Party officials at the Ho Chi Minh Political Academy. A number of universities and local colleges have begun to introduce the issue of gender in their research and learning programmes.

On family education, the 2000 Law on Marriage and the Family continues to reaffirm the important role and shared responsibility of parents and other family members to child care and education. The educational function of the family is considered as one of special importance in face of the widespread of HIV/AIDS, drugs abuse, prostitution and trafficking of women and children. The campaign on building the family with such criteria as "Wealth, equality, progress and happiness" continues to be maintained and its effectiveness brought into play with the participation of family members in the care and development of children.

To sum up, from 1998 onward, great efforts have been made by different branches, agencies and the whole population in carrying out activities aimed at driving back gender prejudices in both the family and the society. As a result, more comprehensive and adequate perception of women's role and contribution to the family and the society were achieved. The reality of the past 3 years shows that no cases relating to gender prejudices have been brought to court at different levels.

However, insuffiencies still exist in the awareness of the society on gender equality and women's role. In reality, now and then,here and there , gender prejudices, the perception of holding men in high esteem and women in inferiority and discrimination against women remain unabated. Its root causes were mentioned and analyzed in the Second Report but the situation could not be redressed satisfactorily within the last three years. Gender prejudices deeply permeate many of the vietnamese generations and backward socio-cultural customs are major obstacles to people's awareness and activities. Therefore, propaganda and education to raise the awareness on equality between men and women and the campaign to encourage people to do away with gender discrimination continue to be further upheld and developed in the coming years.

## Article 6

### Fighting traffic in women and exploitation of women for prostitution

In face of the complicated development in prostitution and trafficking in women and children, the State of Vietnam has taken the following active measures:

***6.1 Legal measures:*** The National Assembly has passed the Amended Criminal Code that came into effect on 1st July 2000, in which heavier punishments shall be meted out for crimes of prostitution, trafficking in women and children.

-Article 119 stipulates that those involved in women trafficking can be sentenced to 2 to 20 years of imprisonment and fined an amount of VND 5 million to 50 million.

-Article 254 stipulates that those involved in harbouring prostitutes can be sentenced to one year to life imprisonment, and fined an amount of VND 5 to 100 million.

-Article 255 stipulates that those acting as middle men in prostitution can be sentenced to six months to 20 years of imprisonment and fined an amount of VND one million to 10 millions.

-Article 256: Those who have sexual intercourse with minors can be sentenced to one to 15 years of imprisonment and fined an amount of VND 5 - 10 millions.

-Articles 273, 274 and 275 stipulate that those who violate border regulations, commit illegal entry-exit movements and organise illegal transfer of persons abroad are subject to the heaviest punishment of 20 years' imprisonment and fined an amount of VND 50 millions.

The 1999 Criminal Code and other legal documents issued by the Government and relevant branches have reflected the uncompromising determination of the Vietnamese State and society in the fight against prostitution, trafficking in women and in protecting women's dignity.

***6.2 Mechanism and organisation:***

On 5th June, 2000, the Prime Minister issued Decision No. 61/2000/QD-TTg on the establishment of the National Committee on prevention and control of AIDS, Drugs and Prostitution. This inter-ministerial Committee assumes the function of assisting the Government in guiding and coordinating the work on preventing and fighting AIDS, drugs and prostitution. In accordance with this Decision, ministries and branches at central and provincial levels have established Steering committees to implement the government's policy, work out plans and allocate budget for annual activities to this end. The Viet Nam Women's Union is represented in both the National Committee and local steering committees.

***6.3. Evaluation of Implementation:***

The Government has actively carried out the National Programme on Preventing and Fighting Crimes, and the Program on Preventing and Fighting Prostitution, to which budgets had been allocated .

*Propaganda and information* are identified as an important task to raise public awareness through the communication and dissemination of related policies of the State, on the negative impacts of prostitution and trafficking in women Experience has been drawn

and good examples have been cited to increase people's responsibility in the fight against these social evils. The Viet Nam Women's Union has adopted an action programme on preventing and fighting trafficking in women and children for 1999-2000. The Union is also carrying out a communication project in 19 provinces and cities with the view to training 120 rapporteurs and 6,600 communicators.

*Eradication and destruction of brothels and other gathering points for prostitution and of secret trails and rings for trafficking in women*: In the two years of 1998 and 1999, competent authorities set up files to manage 12,700 out of 38,400 prostitutes; discovered 3,189 cases of prostitution and detained 12,225 people involved in prostitution, eradicated many women and children trafficking rings.

*Prosecution and trial*: In the two years of 1998 and 1999 alone, courts at various levels tried 3,953 defendants charged with organising prostitution, of which 80-85% were sentenced to imprisonment.

*Re-education, medical treatment and vocational training*: In 1998 and 1999, 7,804 prostitutes were given medical treatment, and 3,207 were taught vocational skills. At present, there are 51 Government run rehabilitation centres for prostitutes nationwide.

*Re-integration into the community*: The Government of Vietnam has taken additional socio-economic measures to assist women victims who reconvert to a respectable life to work for earning their living, through access to soft loans from the national funds for employment generation, poverty eradication, and credit for the Poor, etc. Authorities and social organisations have also encouraged enterprises to recruit those women, give them vocational training or financial assistance to create suitable jobs for their early re-integration into the community.

*Coordination activities at international and regional levels*: At present, it is the policy of the Vietnamese Government to join regional initiatives in effectively fighting trafficking in women and children , and expedite the signing of related bilateral agreements . Vietnam is also one of the six countries that are implementing the UNDP-funded Mekong sub-regional project, worth US$ 2.315 million on fighting trafficking in women and children .

It can be said that since the presentation of the Second Report, the Party and State of Vietnam have reaffirmed their consistent views toward trafficking in women, considered it illegal and are highly determined to wage an uncompromising fight in eradicating these evils under any form; prostitution is also considered a social evil that should be effectively prevented and fought. This policy has gained strong support of the people, especially of women. These policies and measures have demonstrated the superiority and humanitarian nature of the Vietnamese State and society in protecting women and children's rights and dignity, at the same time, ensuring a healthy social environment.

***6.4 Constraints and causes:***

Despite great concern and high determination of the State and people in eradicating prostitution and trafficking in women, the situation is deteriorating with an alarming

increase of these crimes in terms of scale, nature and method of operation. Prostitution and trafficking in women and children across the border are keeping up their upward tendency. The first cause is the inadequate legal system and policy dealing with prostitution and trafficking in women and children. Moreover, the law and policies in this field have not been strictly implemented. Loose co-ordination among relevant agencies in dealing with these crimes has resulted in the skipping over and slippng out of the crimes. The economic cause mentioned in the Second Report still remain. Meanwhile, the government has not been able to work out a national master plan and allocate appropriate funds to the fight against these evils. There remain many difficulties in the propaganda to raise awareness of the people, especially those in remote, mountainous and border areas, on the prevention and fight of trafficking in women and children. Besides, frenzied actions of the networks engaged in trafficking in women and children in the region and the world constitute great challenges to many nations, including Viet Nam.

### *6.5 Orientations for actions*

The Government will be submitting to the National Assembly's Standing Committee a drafted "Ordinance on Preventing and Fighting Prostitution" for the latter's consideration and enactment in 2001. At present, the draft Ordinance have been finalizing, according to which, heavy punishments will be meted out to clients of prostitutes; local authorities will be tasked with the management of anti-prostitution activities and required to issue regulations on the monitoring of attendants in hotels and restaurants ; the role of mass organisations, especially the Viet Nam Women's Union, in propaganda and education in this field will also be strengthened.

The Government is considering the adoption of an Action Plan on preventing and fighting prostitution for the period between 2001 and 2015 with a view to effectively stopping prostitution, through several programmes and integrated projects in an effort to deal with the roots of the problem, particularly to eradicate poverty, create jobs and raise women's awareness.

## Article 7

## Exercising women's equal rights in political and public life

For the past three years, the State have carried out a series of active measures and created favourable conditions for women to participate actively in the country's political and public life along the policy of democratizing all aspects of social life and building a State of the people, by the people and for the people.

### *7.1. Ensuring Women's Right to Vote and Stand for Election*

The right to vote and stand for election is an important political right of women, which has been provided for in the 1992 Constitution, 1997 Law on the Election of Deputies to the National Assembly and 1994 Law on Election of Deputies to the People's Councils.

In 1999, Viet Nam conducted the election by ballot of the deputies to the People's Councils at three levels (provincial, district and commune) for the 1999-2004 term. The election was successfully organized with active participation of people from all walks of life including women from all localities in the country. Following measures have been adopted to implement the Party and State's policy on promoting women's participation:

-The Party and Goverment have issued instructions which identifie women as one of the four target groups to whom attention must be paid and set forth the target of having at least 20% of women as members of people's councils.

-The Viet Nam Women's Union at all levels has taken the initiative to nominate female candidates to run for election to people's councils and campaign for their election.

-The National Committee for the Advancement of Women , in coordination with the Viet Nam Women's Union has organized training workshops on leadership skills for 18,000 female nominees in 61 provinces and cities under the VIE/96/011 project funded by the UNDP and some other donors. About 10,000 other women also have been trained through domestic financing, bringing the number of trained women to nearly 50%.

-Campaigns to vote for women candidates were launched nationwide. The election outcomes showed that the percentage of women elected to people's councils at all three levels was higher than the previous term (1994-1999). The percentages were 22.5, 20.7 and 16.34, showing an increase of 2.15%, 2.6% and 1.94% at provincial, district and commune levels respectively.

In conclusion, regulations in Viet Nam's law about equal rights between the sexes in voting and running for election have been observed with required seriousness. With the increase in both quantity and quality of female deputies of the National Assembly and people's councils at all levels, women have been actively taking part in the country's political and social life at the highest levels of the State hierarchie, directly involved in important issues of the country including decision making, law making and development strategy designing, protecting effectively the rights and legitimate interests of women. However, the proportion of female representatives in elected bodies is still low, not matching up to women's capacity and desire. Policy makers need to further study and come up with more proper measures on this issue.

### *7.2. Women's Right to Take Part in State Governance, Social and Economic Management*

As stated in the Second Report, the right to take part in state management is a fundamental political right of citizens, which was already stipulated in the 1992 Constitution. There is no provision whatsoever in any document on personnel matters that discriminates against the recruitment of women or their promotion to leading positions in public offices.

The Ordinance on Public Servants approved by the National Assembly's Standing Committee on February 26th ,1998 has enabled every Vietnamese citizen, irrespective of their sexes eligible to recruitment examinations into state bodies if they have required professional and ethical qualifications. It is a fact that women are present at virtually all state administrative, agencies and enterprises. Women make up 50.3% of salaried employees and 32.4% of enterprise owners and managers. Female civil servants

themselves have been striving to upgrade their knowledge and made active contributions to the state apparatus at all levels.

According to Article 87 of Viet Nam's 1992 constitution, the Viet Nam Women's Union is entitled to propose and submit bills. Exercising this right, the Viet Nam Women's Union, representative of Vietnamese women, has played an important part in the making of the country's laws and policies in general and those protecting rights and legitimate interests of women in particular.

For the last three years, the Regulations on Democracy in Communes and Offices have been implemented in all localities and State organs. This helps enhance women's participation in designing, executing and supervising State's policies in all levels and sectors. It is a fact that women have been enabled to participate directly or through their representatives, namely the Boards of Women's Affairs (in State institutions and enterprises) or the local chapters of the Women's Union.

However, it remains that the proportion of female managers and leaders is still small, especially at grassroots levels. In general women's capabilities are still lower than that of en and as a result women's participation in the elaboration, implementation and supervision of State policies in communities is limited. Under difficult economic conditions and negative effects of the market mechanism, there are women who show reluctance in taking part in social activities. One of the causes of these outstanding problems is the slow pace in reviewing ,and drawing experiences from,the implementation of and Decision 04 in 1993 of the Political Bureau, Directive 37 in 1999 of the Party's Secretariat on Women, Decision 163 of the Council of Ministers on responsibilities of authorities at various levels in facilitating Viet Nam Women's Union's participation in state management.

### *7.3. Women's Right to Participate in Political and Social Organizations*

Women's right to participate in mass organizations and non-governmental organizations as well as their right to associations are recognized by the Constitution and elaborated in various legal documents as already stated in the Second Report. In real life, women have joined and become a key force in several organizations. Along the country's common trend of democratization, for the last three years more non-governmental organizations on women have come into being in Viet Nam. It is encouraging to see that the number of women holding leading positions in mass organizations and associations is increasing. They now account for 30% in Executive Boards at all levels. Those are important core activities of the women's movements and the source of female future potential leaders.

With about 11 million members, the Viet Nam Women's Union attracts more and more women in the country's movements which produce high economic and social benefits and through which the Union continues to assert its role and helps women strengthen their confidence in the cause for the equality between the sexes and for their advancement.

Article 8

**Women's participation in international activities**

As mentioned in the Second Report, the Vietnamese Constitution guarantees that women enjoy same rights with men in domestic and international activities relating to politics, economics, science and external relations. Women's equal rights are respected by the law as well as observed in practice.

In pursuit of the foreign policy of independence, sovereignty, diversification and multilateralisation of foreign relations, active integration into the region and the world under the motto of Viet Nam befriending all countries in the international community, striving for peace, independence and development, Viet Nam's international activities have gained in scale and scope and the number of women participating in the country's international activities has risen steadily. Women have been joining with men in both bilateral and multilateral relations activities of the Party, the State, the National Assembly, People's Friendship Associations, Non-Governmental Organizations, State and private enterprises. They have contributed their part to the success of Vietnam's international activities. In the process of expanding exchanges, cooperation and interaction with the region and the rest of the world, women have been given more and more opportunities to participate effectively and successfully in cultural, artistic and sports activities as well as in scientific and technological fields.

As mentioned in the Second Report, with the support by the Party and the State, the proportion of women working in the Ministry of Foreign Affairs ( the key external relations agency in Vietnam) and Viet Nam's representative offices abroad is on the rise. The number of women representing Vietnam in those meetings of ASEAN, APEC, the United Nations and other international seminars and conferences has gone up significantly. Although being a new APEC member, Viet Nam has joined other regional countries in formulating, approving and now implementing the "Framework for Women's Integration in APEC". At present, our National Committee is a member of the APEC's Gender Working Group. Many female staff from relevant Ministries and agencies are now actively participating in the preparation and negotiation for Vietnam's accession into the World Trade Organization.

A noteworthy activity is Viet Nam's active efforts in preparing for the General Assembly Special Session on Women, held in New York in June 2000. Many activities on women have been undertaken nationwide in response to this important event. 21 out of 25 Vietnamese delegates to this special Meeting Session are female. In addition, several female members of the National Assembly also participated in the Asia Pacific Forum on Leadership Management in the 21st century and the Global Meeting on Women Politicians held in the Philippines in January, 2000.

In the process of regional and international integration, Viet Nam's international activities supported by increasing active participation by women have helped create favourable international conditions for Vietnam to promote its socio-economic development and realize the cause of national industrialization and modernization.

However, the proportion of women participating in international fora and organizations still fall short of their potentials and expectations since practical impediments

to their participation are greater than men's. Moreover, some women still have in mind that it is men's business to participate in international activities.

It is encouraging that more and more women are showing keen interest in international activities and the number of successful female candidates to the Institute for International Relations, the Trade Colleges and University of Foreign Studies has increased significantly. This indicates the possible increase in the number of women participating in international activities in the near future.

Article 9

**On the nationality issue**

Since the foundation of the country, the Vietnamese Constitution and legal provisions of the Vietnamese law on nationality consistently ensure women's equal rights with men to acquire, change or retain their nationality. In particular, the law ensures that marriage with foreigner or change of the husband's nationality shall not affect the wife's nationality, avoiding such consequences as being stateless or involuntary naturalization to the husband's nationality. At the same time, equality between women and men is also ensured with regard to the nationality of their children.

The Second Report clearly stated provisions of Viet Nam's laws on women's equal rights with men in matter related to nationality and the strict observance by the State in practice. This Report will make additional introduction on Viet Nam's 1998 Nationality Law.

***9.1. Women's Equal Rights with Men to acquire, change or retain their nationality***

Building on the important principles spelled out in the Ordinance on Nationality and the 1988 Nationality Law, Viet Nam's National Assembly, in May 1998, passed the new Nationality Law. This latest legal document has supplemented, developed and improved criteria for the identification of Vietnamese nationality. It entered into effect in 1 January, 1999 in replacement of the 1988 Nationality Law.

The 1998 Nationality Law gives women full equal rights with men in acquiring, changing or retaining their nationality.

Article 1 affirms the equal right of every individual and members of every ethnic group to have the rights of Vietnamese nationality.

According to Article 9, marriage, divorce or annulment of unlawful marriage between a Vietnamese citizen and a foreigner shall not affect their respective nationality and their juvenile children's nationality.

According to Article 10, the fact that a husband or a wife is granted or losses Vietnamese nationality shall not affect the nationality of the partner.

### *9.2. Women's Equal Rights with respect to the nationality of their children*

Article 16 of the 1998 Nationality Law provides that a child born to parents who are Vietnamese citizens shall hold Vietnamese nationality regardless of whether that child was born inside or outside the territory of Viet Nam.

Article 17 stipulates that in case a child, born inside or outside Viet Nam, from a parent who is a Vietnamese citizen and the other a stateless person or a mother of Vietnamese citizenship and an unknown father, the child shall have Vietnamese nationality. This provision has expanded to the fullest extent children's right to have a nationality as well as women's equal rights in connection with their children's nationality. The application of both principles of determining a child's nationality on the basis of birthplace and parental relationship indicates an improvement in Viet-Nam's law on the nationality issue.

To sum up, Viet-Nam's law contains no discrimination against women and at the same time ensures women's equal rights with men in acquiring, changing or retaining their nationality and in their children's nationality. Viet Nam's Law on Nationality is fully consistent with Article 9 of CEDAW. The 1998 Nationality Law, though its implementation is not yet fully evaluated, has created more favourable conditions for women and children to exercise the rights to freedom and equality in the issue of nationality.

## Article 10

## Equality in education

### *10.1. Education overview*

Between 1998-2000, Viet Nam's education experienced strong growth, bringing about a multitude of benefits to the people, and there was no gender-related discrimination. The ratio of budget allocated to education in the recent years has shown an annual increase, which was 13.6%, 14.1% and 15% of GDP in 1998, 1999 and 2000 respectively.

The adoption of the Education Law by the National Assembly in December 1998 and the issuance of other legal documents to put into concrete terms the 1992 Constitution laid down a legal framework for the equal and effective implementation of strategies on developing education and training.

Article 9 of the Education Law stipulates that all citizens, regardless of their ethnic origin, religion, sex, family background, social status or economic condition, are equal in educational opportunities. The State ensures social equality in education and creates conditions for all people to be educated. The State and community provide assistance to the poor for their education and to outstanding students to develop their talents. Priorities are given to children of ethnic origin and families in areas with difficult socio-economic conditions, of those enjoying preferential treatment and the handicapped to help them exercise their rights and obligations in education.

***10.2. Implementation of policy for equality in educational opportunities and conditions between the sexes***

Pursuant to the Education Law, the State pursues the policy of creating opportunities for women and girls to participate in education equal to those for men. The Ministry of Education and Training has instructed localities to take measures to strike a balance between male and female school-children in primary and junior secondary schools. In schools of all levels, from pre-school establishments to universities, colleges or special classes for the adults, male and female students share the same class, curricula and educational conditions without any discrimination. Some classes for adults are opened exclusively for ethnic and mountainous women with reduced curricula to help them expedite sooner the eradication of illiteracy.

Female students enjoy the same scholarship regime, grants and conditions for loans related to education as male students. In order to bridge the gap among areas and regions of the country, the State has put in place a policy of education fee reduction and exemption, provided educational means, opened boarding schools for ethnic students, provided extra allowances for teachers in remote and mountainous areas and so on. Thanks to the active investment from the State and people, the educational conditions, teaching quality and material bases of schools have been improved in the recent years. Gender education and family planning continued to be implemented on a wider scale at various school levels.

These efforts have brought about positive changes, narrowing down significantly the gender gap in education. The literacy rate in women above ten is 88% (that of men is 94%). The average schooling years of women is 5.6 (that of men is 6.7) The total number of people attending school in Viet Nam is 21 million (2.12 million for per-school, 10.06 million for primary school, 5.76 million for junior secondary school , 1.97 for senior secondary school and 1.08 million for college and university).

The ratio of school enrolment in the population at school age in the year 2000 is 89%, which is a marked improvement with only a negligible gap between males and females at the primary level. The drop-out ratio of all school levels has been reduced to the level below 10% while the repetition ratio of less than 5%.

The ratio of female students at various school levels are 48.2% for pre-school establishments, 47.9% for primary schools, 46.9% for junior secondary schools, 46.8% for senior secondary schools, 51.9% for colleges and 39.1% for universities.

Especially, the rate of women teacher is high, which, according to the 1999-2000 figures, is 100% for pre-school establishments, 77.9% for primary schools, 69.46% for junior secondary schools, 52.61% for senior secondary schools, 50.06% for colleges and 35.40% for universities.

***10.3. Issues needed to be addressed:***

One of the biggest constraint in educational equality in Viet Nam is the higher the level of education is, the lower the ratio of female students cmpared to male students; the situation is similar for women and men working in various educational-management levels. To address this situation, the education service has been taking effective measures, such as increasing the enrolment target for higher education in the fields appropriate for women,

opening training courses exclusively for women working in the area of education management and so on.

Another constraint, which is not widespread, but needs to be gradually addressed, is that in the remote, mountainous or isolated areas, the rate of illiterate women and girls remains high (50%-60%), especially in the Central Highlands (Bana ethnic group) or in the Northern mountainous areas (the H'mong ethnic group). The education service is formulating some projects to deal with this issue.

In addition, in the first years of the new millennium, at the level of primary and secondary schools, major adjustments will be made to the curricula and contents of education, in which some global education issues such as gender education, skills for life, family planning etc will be incorporated into the curricula and contents of some subjects, The above-mentioned constraints have been addressed by the competent agencies in the Strategy for Education-Training Development in the 2001-2010 period which will be approved by the government in the near future.

## Article 11

## Equality in employment

### *11.1. Some new and amended Regulations*

-The Ordinance on Cadres and Public Servants promulgated in 1998 and Regulations 95/1998/ND-CP on the Recruitment, Employment and Management of Public Servants in which provisions dealing with equality between the sexes are provided for.

-The 1999 Ordinance on Labour for public interest provides that women in pregnancy or raising children under 36 months are exempt from obligation to labour for public interest, and women under 18 and above 35 do not have to perform such labour.

-Government Decree 93/1998/ND-CP issued in 1998 amending and adding some provisions to the Regulations on Social Insurance promulgated together with Government Decree 12/1995/ND-CP has supplemented Article 36a in the following way:Female workers shall enjoy social insurance during the time they take maternity leaves before and after child birth as provided for by this regulation. During their maternity leaves, female workers and their employers do not have to pay social insurance. This will be paid for by the Social Insurance Fund.

Government Decree 50/1998/ND-CT provides in details for radiation safety and control, of which Article 10 stipulates that when women working in a radiation environment are pregnant or breast-feeding their children, the manager of the institution must arrange for them a job not related to radiation.

Government Decree 97/1998/ND-CP on Discipline and Material Responsibility of Civil Servants, of which Article 9 stipulates that the disciplining of woman civil servants on

maternity leave shall be delayed and those who are pregnant or raising a child under one shall not be fired.

Decision 50/1999/QD-TTg by the Prime Minister approving the vocational training plan for 1999-2000 has the following objectives: 670,000 people would be trained for 1999 of which 120,000 would attend long courses and 780,000 short ones. For 2000, 780,000 people will be trained of which 150,000 would attend long courses and 780,000 short ones; the ratio of labouring people going through training should reach 13.4% so as to achieve the 22% ratio by the end of 2000.

By the year 2000, Viet Nam has ratified 14 conventions of the International Labour Organization (ILO) including Convention 100 on equal remuneration between man and woman workers doing the same work, Convention 155 on labour sanitation and working environment and Convention 45 on the employment of woman workers in underground mines.

***11.2. The State continues to take active measures aimed at ensuring women's full equality in the field of Employment:***

On the basis of the review of the three-year implementation of Labour Code and the assessment of the implementation of Chapter 10 on women labour, the State has taken many measures to further eliminate all discriminations in employment. The National Programme on job creation has received regularly funds from the state budget in the 1998-2000 period in order to create 1.3 million jobs every year for both men and women. New State policies on improving domestic and foreign investment, boosting export, developing traditional crafts and trades, developing rural farms, developing small- and medium-sized enterprises, exporting labour and so on have helped create many new jobs for women. Through the training programme on the rights of working women organized by Ministry of Labour, Invalids and Social Affairs in co-ordination with ILO, knowledge on gender has been disseminated to management officials from the central to provincial levels. Active measures have also been taken to prevent discrimination against working women when they get married, pregnant or are raising young children.

As a result, compared to the time when the second report was written, the ratio of women participating in economic activities keeps standing at the social equilibrium level, which was 50.04% in 1998 and 49.52% in 1999. Women account for 50.2% of those having permanent jobs in 1998. The rate of unemployed women in 1998 was lower than the overall rate (6.6% versus 6.9%). However, the rate of unemployed women in 1999 was higher than the overall rate (8% versus 7.4%), partly because of the impacts of the regional economic crisis and the change in demand for working women.

Especially, the implementation of ILO Convention 100 to which Viet Nam is a contracting party, and of the policy of "equal remuneration for the same jobs for men and women" stipulated in Article 63 of the 1992 Constitution continued to be carried out with vigour, thus reducing significantly the average income gap between the sexes. A survey on living standard conducted between 1997 and 1998 showed that the average income of working women was 86% of that of men i.e. a difference of 14% while a difference of 31% was shown in the survey conducted for the 1992-1993 period . It can be said that this

represents an important progress, reflecting the efforts of the State and the people of Viet Nam in ensuring equality in employment for women.

The Government has also paid adequate attention to improving vocational training. In implementing the vocational training plan for 1998-2000, 45% of women out of the total number of 1.65 million have received training. However, the rate of retraining in women, especially in rural areas, remained limited.

At present, 14% of the labour force participate in the social insurance in areas pertaining to illness, maternity, labour accident, work-related diseases, retirement and death allowance. However, because of the difference in the retirement age, the rate of women's average pension is 67% of the salary as compared to 71.43% of men's. The State is carrying out a pilot social insurance policy to farmers. In 1999, the first two farmers, all of them are women, were entitled to pension.

In the country's Doimoi context, the robust growth of various systems and forms of services has been practically helpful to women in their householdwork, especially in the urban areas. The rate of children going to kindergarten schools accounts for 3.9% and 4.7% of boys and girls respectively. The rate of children going to pre-school establishments exhibited a sharp increase, reaching 39.9% and 40.8% of boys and girls respectively.

Especially, in accordance with the Government Decree No 188/199 QD-TTg, beginning from October 1999, the entire nation work 40 hours per week. So far, 80% of the administrative agencies have already implemented this policy. Enterprises are trying to meet the target of 44 hour or 40 hour week by the end of 2000. Labourers and women were greatly encouraged by the new policy as they have better conditions for rest, taking care of their families, entertainment and learning to improve their qualifications.

### *11.3. Some outstanding issues and ways to overcome them*

Because of the constraints arising from the country's socio-economic circumstances, a part of working women still have to work under difficult conditions with dust, noise, poisonous gas, high temperature and etc. exceeding permitted standards. Therefore, the ratio of women suffering from work-related diseases remains high.

In reality, working women in the informal sector have not yet fully enjoyed policies as provided for by the Labour Code.

The training of stand-by jobs for working women faces many hurdles due to the lack of necessary resources and specific orientation.

There remain many issues to be resolved in the implementation of policies related to salary and social insurance in private enterprises and joint ventures.

In the future, the Government will continue to promote the implementation of the Labour Code and adjust some particular policies with regard to working women. Social insurance will be extended to workers in the informal, agricultural and rural sectors.

With regard to the regulation stipulating that the retirement age of working women is 55 (men retiring at the age of 60), Vietnamese law provides that working women are entitled to retire five years earlier than men. This stipulation is proceeded from the awareness of the role of mothers and attention paid to the protection of women's health, helping them have better conditions for rest and taking care of their families. The majority of working women welcomed this policy and it has taken effects in reality as mentioned earlier. However, in the process of transition to the market economy and in the context of improved people's life, a part of working women wish to continue to work and retire at the age of 60 as men do. The Government has instructed competent agencies to study and consider the issue from various aspects in order to make necessary adjustments in the time to come.

Article 12

**Health care and protection for women**

***12.1 Viewpoints and objectives of Health Care and Protection for the people in Viet Nam:***

The Party and State of Vietnam are deeply aware that: health is the most valuable asset of an individual as well as the whole society, it is also an important factor in the cause of national construction and defense. Investment in health-care means investment in socio-economic development. Accordingly, Viet Nam does its utmost to ensure that people have equal access to health-care services, and pays due attention to target groups and poor people .

In implementing this policy, on 20th June 1996, the Government issued Resolution No.37/CP on Strategic Orientation of Health Care and Protection for the people in the 1996-2000 period and National policy on Drugs in which the following objectives have been set forth: to develop local health care services so that 40% of communes will have doctors by the year 2000, 100% of commune health care centers will have midwives, obstetric-paediatric assistant doctors and 100% of hamlets will have community health workers

To successfully implement the above mentioned health care and protection strategy, the Ministry of Health has adopted policies that focuses on rural areas and communities, according to which, more health workers will be dispatched to localities; the quality of health care and protection services for the people, including women, target group , and poor people will be improved in an effort to ensure equal access to health-care services.

***12.2 Organisation structure of Health Care network for Women***

On 3rd January ,1998, the Government issued Decree No. 01/1998 ND-CP on the organisation structure of local health-care network. According to this Decree, the network of health protection for women and children and of family planning services at the local level consists of: centres for women and children's health protection at provinces and cities under the immediate authority of the Government, teams of health workers for women and children attached to health care centres of districts, towns and provincial cities ; health centers at communes, precincts and townships. On 16th September ,1999, the Minister of

Public Health issued Decision No. 2792/1999/QD-BYT on the "Regulations on the Function, Responsibility and Organisation Structure of Centres for Mothers and Children's Health Protection attached to Health Departments of Provinces and Cities under the immediate authority of the Government, Teams of Health Workers for Women and Children Attached to Health Care Centres of Districts, Towns and Provincial Cities". At the commune level, midwives of commune health care centers are responsible for the protection of women and children's health, on the basis of carrying out 11 tasks assigned to the health care centers . The Minister of Public Health signed on 15 November ,1999 Decision No. 3653/1999/QD-BYT on the "Regulations on the Functions and Responsibilities of Health Workers in Communes", according to which health protection for women and children and family planning are among the five responsibilities of a commune health worker. Nutrition is another area of responsibility of the local health care network, under the supervision of the Nutrition Institute. Meanwhile, the Ministry of Public Health, plays the key role in coordinating with other ministries and agencies in carrying out policies of health care and protection for female workers at enterprises, in compliance with Government Decree No. 73/1999/ND-CP of 19th August ,1999 on policies to encourage socialisation of education, health care, culture and sports.

Mass organizations, particularly the Women's Union, Youth Union, Trade Union and Farmers' Association, all have specific programmes and projects on health care and protection, reproductive health, population and family planning, and HIV prevention for the people, particularly women.

In the implementation of the above-said policies, organizational system and operational mechanism has been continuously improved, technical personnel's abilities increasingly specialized, work quality enhanced, and particularly, healthcare human resources at grassroot level steadfastly developed. Up to now, there is no more communes without health care services in the list, which means that 100% communes have health care personnel at their disposal. The number of communes having doctors has increased from 20.14% in 1997 to 33.86% in 1999. The number of health care centers that have obstetric-paediatric assistant doctor went up from 79.38% in 1997 to 83.15% in 1999. The number of hamlets having health personnel increased from 57.60% in 1997 to 59.41% in 1999. These are important conditions to ensure women's access to health-care services in line with our national policy.

### *12.3. Reproductive Health Care and Provision of Family - Planning Services:*

Health care given to mothers and babies before, during and after birth to reduce their mortality rate has met the targets indicated in Government Resolution 37/CP. Maternal mortality rate fell from 1‰ in 1997 to 0.9‰ in 1999. Similiarly, mortality rate among children under 5 declined from 48‰ in 1997 to 42‰ in 1999.

The health-care programme for women of all ages and "safe mothers" programme have been expanded nation-wide. In 1998 alone, some 7.4 million women had gynaecological examinations, 1.2 million pregnant women had three medical check-ups during their pregnancy; 95.8% women had their deliveries attended by health personnel; 840.000 women had two vaccinations against tetanus Examinations during pregnancy have been gradually increased and reached 1.6 times on the average in the same year.

Propaganda programmes have been improved and family-planning services made more accessible to people, thus couples can easily choose appropriate contraceptive measures and women have the right to choose contraceptive measure. The number of people getting access to and using contraceptive has been on the increase. In the period from 31st December,1997 to 31st December ,1999, the ratio of people using modern contraceptive has increased from 58.50% to 62.10%, in which the use of intra-uterus devices (IUD) has increased from 38.30% to 39%; contraceptive pills from 3.94% to 28%; condoms from 6.08% to 31%; while male and female sterilization went down from 6.60% to 2%. At the same time, the Government adopted policies in favour of people using contraceptive measures, such as: three days off work after the insertion of IUD; free contraceptive pills; an allowance of 100,000VND plus seven days off work in sterilization cases.

In reality, though increasing, the proportion of couples using modern contraceptive measures is not high, failure rate remains significant due to limited propaganda. Abortion has dropped but remains high with 1.1 million cases in 1997, 0.93 million in 1998 and 0.78 million in 1999.

This is partly due to failure of natural contraceptive measures. In general, there has not yet been a gender equality in applying contraceptive measures. Mostly women have to take the responsibility. These need to be studied and addressed in the coming years.

***12.4. Nutrition and the fight against Malnutrition.***

Viet Nam has recently actively carried out anti-malnutrition activities. In the rural areas, the family nutrition model of "the green colour of "ngot" vegetables, yellow colour of papayas and orange colour of chicken egg-yolk" has been developed and expanded to help families ensure sufficient nutrition in their daily meals. However, successive floods and droughts occurring in Central and Southern provinces in recent years have created more difficulties in people's life and slowed down the pace of reducing malnutrition rate. Statistics from 31st December ,1997 and 31st December ,1999 show that the ratio of anemic pregnant women remained 50%; the malnutrition rate of children under 5 was reduced from 40.60% to 36.70% and the ratio of newborn babies weighting less than 2500 grams declined from 8.50% to 7.79 %.

The Government has decided to choose the 1st and 2nd June ,2000 as the date of "the days of micronutrients" in order to monitor health condition of newborn babies, providing vitamins for children, iron pills for child-bearing women, 15-year-old girls and post-natal mothers. With these, the goal set forth by the Government to lower the rate of child malnutrition to under 34% by 2000 will certainly be achieved. However, it is now necessary to raise people and women's awareness of nutrition-related matters affecting children and women themselves.

***12.5. Prevention and fight against ssexually transmitted diseases (including HIV/AIDS).***

Sexually transmitted diseases tend to spread quickly. It is reported that the number of infected cases increased from 71,274 in 1997 to 199,188 in 1998. This is caused by poor sanitation, absence of clean water in rural areas, lack of knowledge about safe sex and prostitution (already mentioned in Article 6).

Cases of HIV infection are also on the rise, especially in youngsters and drug users. The figure by July 7th, 2000 was 23,000 HIV positive cases and 3,800 AIDS patients. However, the ratio of female victims tends to decline from 14% in 1998 to 13% in 1999. Yet, the number of sexually transmitted HIV/AIDS patients rose from 0.58% in 1997 to 0.94% in 1998.

The biggest difficulties facing Viet Nam now are limited funding and poor medical equipments as well as inadequate human resources in health-care services for the public, including women.

In the immediate future, the health care, and population and family planning services will develop and put into operation a reproductive health programme, step up activities to prevent malnutrition among women and children and give new impetus to media communications on the prevention and control of sexually transmitted diseases, including HIV/AIDS.

## Article 13

## Socio-economic and cultural welfare

### *13.1. Ensuring Women's Rights to family benefits:*

As stated in the Second Report, Viet Nam's law and policies ensure men and women's equal rights to family benefits. In Vietnamese families, from urban to rural or ethnic minority areas, family benefits are considered shared property that every member, irrespective of their gender, is entitled to. The 1997-1998 Viet Nam living standards Survey showed that there was no big difference in annual spending of male and female members of the same families. For example, women's spending for studies was 163,000 VND (while men's was 214,000 VND) and for health care was 148,000 VND (while men's was 169,000 VND)

In Viet Nam's tradition, the wife plays the key role in family's financial management and often discusses with her husband in making spending decisions. In fact, given difficult economic conditions, she usually limits her own personal expenditures to spend more for her husband and children.

### *13.2. Ensuring Women's Rights to bank loans, mortgages and other forms of financial credit:*

Vietnamese law stipulates that men and women are equal in credit and mortgage relations. In the last two years, the State's credit programmes for poverty alleviation, employment generation, craft and infrastructure development have provided funding for the people, regardless of their gender. It is estimated that about over 40% of beneficiaries from these programmes are women. Priority is often given to women who are heads of poor households. Especially, since 1999 with State's policy of lending less than VND 10 million without mortgage requirement, women have been able to enjoy greater access to loans. The current problem is that the wife cannot mortgage property of high value when that property is registered under her husband's name only.

***13.3. The Rights to participate in recreational, sports and cultural activities:***

In recent years, recreational, sports and cultural activities have received special Government attention. One fundamental measure to create an implementation mechanism is Government Decree 73/1999/ND-CP issued on 19th August , 1999 on policies to encourage the socialization of education, healthcare, culture and sports. Accordingly, the Vietnamese Government has adopted various measures to encourage and create opportunities for women's participation in these activities with any discriminatory regulation . As a result, over the last two years the number of female athletes of the national team has increased, accounting for 42.7% and 45% in 1998 and 1999 respectively. At SEAGAMES 20, female athletes won 11 out of 17 gold medals, 12 out of 20 silver medals and 9 out of 27 bronze medals wom by Viet Nam At ASIAD 13, the results are 4 out of 5 gold and 7 out of 11 bronze and at 1999 international WUSHU competition the figure was 15 out of 18 gold. This performance proves that Vietnamese women are gifted at sports and able to achieve high score in competition.

Aware of the importance of information in improving people's knowledge and meeting their recreational needs, the State has allocated sufficient investments and taken active measures to develop broadcasting and communication. By 2000, Radio "the Voice of Viet Nam" has extended its coverage nationwide to 95% of the territory with three programmes broadcast in many ethnic languages. Similarly, the television network has been developed in all 61 provinces of the country with 4 programmes broadcast by Viet Nam Television 40.5 hours a day. These are important facilities that enable women in rural areas to access information and recreation.

In the same way, socialization of culture and arts has opened up opportunities for women to develop their talents, whereby to contribute to the development of the country's culture and arts.

Findings from the General Statistical Office survey conducted in early 2000 in Ha Noi and the provinces of Hai Duong and Ha Nam showed no significant difference in men and women's opportunities to participate in cultural and sports activities.

Yet, due to difficult socio-economic conditions, opportunities to participate in recreational, cultural and sports activities of the population in general are still limited.

## Article 14

## Rural Women

***14.1. Role of Rural Women and challenges being faced.***

Rural women make up 50.8% of the population and 51.3% of the labour force in the country's rural areas.

In recent years, thanks to the Party's renovation policy, the peasants ' life in general and rural women's life in particular has been improved significantly with the development of the agricultural economy.

However, disadvantages and challenges facing rural women as mentioned in the Second Report still remain. Most of rural women have to undertake hard manual labour, working 22 days per month and on average 10.6 hours per day, which is one hour longer than those of men. The employment ratio of working time averages only 73%. Their income is low and 3.6 times lower than that of urban women.

The State and authorities at different levels are trying to gradually resolve these problems and work out various measures to bridge the gender gap as well as the gap between rural and urban areas in the process of developing the agricultural and rural economy.

The Government has approved the "Socio-Economic Development Programme for especially Disadvantaged Communes in Isolated, Mountainous and Remote Areas" (Decision No 135/1998/QD-Ttg) to promote poverty reduction and narrow down the development gap among regions and areas. To that end, the State ,in 1999 alone ,invested in the construction of 2,274 socio-economic infrastructure works and provided more credits for peasants and farmers to develop household economy.

***14.2. Enabling Women to take part in the elaboration and implementation of agricultural and rural development plans.***

Since the Second Report was published, Regulations on the Exercise of Democracy at the communes have been implemented in all localities of the country. According to the regulations, rural women have the right to participate in the formulation of local development plans directly or through their representative i.e.the Women's Unions at different levels,. In reality, the implementation of local socio-economic plans and programmes has drawn massive and active participation of women. Women are enabled to contribute their ideas to and take part in undertakings of their localities on the basis of the coordinating mechanism between local authorities and the Women's Unions as provided for in Decision 163/CP issued in 1988 by the then Council of Ministers (now the Government).

The current challenge to localities, especially mountainous and remote areas, where knowledge level of women and cadres of the Women's Union is low and their economic conditions difficult, is the very limited capabilities of women's participation in the formulation and implementation of rural development plans .

***14.3. Health care and Family Planning services***

As mentioned in Article 12, rural women have been able to enjoy better health-care services thanks to the Government's efforts to strengthen the local health-care network. On the average, the State has subsidized 10,000 VND on medicine per person per year for 1870 poor communes, provided health insurance cards for 10% of the people living under the poverty line, created a health care fund for the poor and has been carrying out, on a pilot basis, a voluntary health care insurance scheme for farmers in some localities.

For the last three years, the State has continued to implement the second phase of the Population and Family Planning Strategy (1996-2000). To date, 93% districts have been able to carry out sterilization and 68.7% communes performing IUD insertion and menstrual regulating techniques. There are over 10,000 officers in charge of population matters in communes and 147,000 volunteers on these matters in villages and hamlets. However, given the country's current situation, Vietnam is yet unable to meet all health-care and family planning needs of the people in rural and poor communes in remote and isolated areas.

***14.4. Agricultural extension:***

Agricultural extension as well as extension on forestry have been given strong impetus over the past three years, and as a result have helped improve the scientific , technical and organizational knowledge of farmers in general and rural women in particular with regard to agricultural productivity, thus bringing about higher economic efficiency. The percentage of women attending agricultural extension training courses and seminars ranges from 10% to 30%. The percentage of women working in provincial agricultural extension centers is 15-30%. However, the agricultural extension service at the commune level has to cope with a lot of difficulties and constraints as it operates mainly on the basis of voluntary contributions by farmers since State funding and essentially funding from provincial budget is not yet available. Actually, many provinces have encouraged their local authorities to support these extention activities.

Mass organizations including the Farmers' Union and Women's Union have been carrying out many projects integrated with agricultural extension for their members. Most of micro-credit programmes to help poor women develop production and raise income carried out by the Women's Union include agricultural extension courses in order to help them use their capital effectively.

***14.5. Social insurance:***

In order to meet the wish of the farmers for adequate income for the old age or in cases of losing their labour ability, Vietnam Social Insurance has recently submitted to the Government a draft Regulations on Voluntary Insurance for the Elderly.

In fact, farmer's voluntary social insurance has been carried out, on a pilot basis, in some provinces like Ha Tay, Bac Ninh, Bac Giang, Nghe An, Ha Tinh and so on. Lessons from these provinces are being drawn by the Viet Nam Farmers' Association and the Viet Nam Social Insurance for possible wider application in the future.

***14.6. Organization of mutual-assistance production group and creating opportunities to access Credit for Rural Women:***

The operation of the "Women's credit or saving groups" model set up by the Women's Union is considered as most popular, highly effective and suitable because it mobilizes capital among women themselves. Borrowing procedures are simple with no mortgage asset required. This model is being implemented right at local communities and especially it creates cohesive relations between women in the same communities.

Additionally, there also exist borrowing groups on the basis of trustee-guarantee, sponsored by the Farmers' Association to get loans from the Farmers' Support Fund.

Credits via the banking system such as the Bank for the Poor and the Agriculture and Rural Development Bank has become more popular with rural women. The main target for lending of these banks is poor farmers, who get 86.6% of total lending capital. These poor farmers include women ,especially those acting as heads of households. The lending interest is low. The lending itself is done through saving-borrowing groups or trustee-guarantee and does not require borrowers to mortgage their assets. In 1999, the banks provided 2,340 households with loans worth VND 4,086 billion, which was VND 797 billion higher than in 1998 and women accounted for 40% of registered borrowers. Credit activities through the Women's Union as evaluated by the Bank for the Poor are effective. Among 197,000 saving groups in 61 provinces and cities, 30% of them are organized by the Women's Union chapters. Through activities of the credit-saving groups, the Women's Union chapters at all levels have integrated activities to disseminate knowledge about new production techniques and methods for women. Thanks to the cooperation between the Bank for the Poor and the Women's Union, life of many rural women has been improved. Many of them have come out of hunger and poverty.

Nevertheless, women in fact still have less access to credits than men. The main reasons are:

- The lending procedures are still complicated while education level of the majority of women is not high enough to understand those procedures and they do not find it easy to approach state credit institutions.
- The borrowing of large fund requires mortgaged assets while in most cases men have the final word about the use of assets in families.
- Women have less access to information about production development than men.

### *14.7. Land-use right of Rural Women.*

The 1993 Land Law provides for equal land-use right between men and women as mentioned in the Second Report.

By 31 October 1999, 10.4 million farmer households in the whole country had received land-use certificates, which was equal to about 90% of households using agriculture land. The Government now is striving to deliver land-use certificates to 100% productive lands by the end of 2001. According to Vietnamese traditions and customs, most of the land-use certificates are in the husbands' names as they are often heads of households. In almost rural areas, all decisions relating to family land must be discussed and agreed between wive and husband. However, there remain some problems to be studied and resolved:

-The number of land-use certificates registered in the women's names accounts for only 10-12%, mostly for single or widow households. The number of certificates in both husband and wife' names is very limited

-As provided for by law, the working age for men is from 15 to 60 and for women from 15 to 55, which is 5 years less than men. As a result, the average land area for women is smaller than that for men as one of the basis for land allocation is working age.

-As women rarely have their names on land-use certificates, it is very difficult for them to use those certificates to apply for mortgage.

-The understanding of women, especially women of ethnic minorities, about rights and obligations stipulated in the Land Law is limited. Women rarely participate in meetings and discussions about land allocation.

-Women rarely inherit or have any say over their parents' land-use right due to the time-honoured traditions and customs in the Vietnamese families.

***14.8. Rural infrastructure and sanitation:***

The Vietnamese Government has formulated many policies, national programmes and projects to develop rural infrastructure.

*On the development of rural post and telecommunication network:* the State has provided funding for the programme to build commune post and culture stations . In the two years of 1998 and 1999, 3,576 stations were built and 3,200 put into operation. Besides meeting demands for popular post and telecommunication services of the people, commune post and culture stations also provide free of charge books and newspapers for people to read on the spot.The total number of books available for the present initial stage is 32.3 million,that of newspapers is 630,000 "People" (daily) and 48,000 "Viet Nam Post". On the average ,20 to 30 people go to the commune post and culture station to read books and newspapers every day.

*On transport*: To date, rural roads account for 81% of the country's total. At present, about 5.6% communes have not yet roads for car leading to its centres and it remains difficult to get access to about 50% of communes and 30% of districts in rainy season.

*On electricity*: in 1999, the Prime Minister approved the Plan on rural electrification (Decision 22/1999/QD-TTg in 1999) with the objective of bringing electricity to all provinces and districts of the country by 2000. It is expected that 80% communes, including 60% rural households will have access to electricity for household consumption and production in order to improve people's material and spiritual life and promote socio-economic development in rural areas in the course of national industrialization and modernization. By the end of March 1999, national power grid had covered all 61 provinces throughout the country. The number of households connected to the electricity network accounts for 73% by the end of 1999.

*On clean water*, as of 1999, 40% rural people have access to clean water. The target of the Government is to increase this figure to 45% by the end of 2000. *Rural environment hygiene* has received increasing attention and investment by the Government. However, only 20% households have sanitary latrines in 1999. The Prime Minister has recently approved the 2000-2020 National Strategy on Water Supply and Rural Sanitation with the following objectives: -For 2020 , 100% of rural inhabitants will have access to national-standard clean water with at least 60 litres per head per day ,sanitary latrines will be available for all ,personnal hygienic conditions ensured and the environment of the communes and villages kept clean . For 2010 ,85% of rural inhabitants will have access to clean water with at least 60 litres per head per day and 70% will have sanitary latrines and their personnal hygienic conditions will be ensured .

*Market network* set up in concentration points of rural economic activities has further promoting commodity economy in the rural areas. As of 1st October, 1999, there are 8,213 markets of various kinds. Out of this, 6,232 are rural markets, accounting for 76.1%. However, markets are unevenly distributed among areas, regions and localities.

Investment in infrastructure, though increasing in recent years, remains low. As a result, people's life, including women's, still faces numerous difficulties.

It can be said that the Party and State of Viet Nam as well as other concerned agencies are more and more aware of the special issues facing rural women and of their important roles toward the family and the society. Prompted by such correct perception and in order to improve the quality of life and raise the capabilities of rural women, the Ministry of Agriculture and Rural Development and the Viet Nam Women's Union signed the Inter-ministerial Resolution No 47/2000/NQLT dated 20th April, 2000 on assisting rural women in production development. An Inter-ministerial Steering Committee was set up to work out concrete measures to implement the Resolution. Most recently, the Asian Development Bank signed a project with the Government of Viet Nam to develop an Action Strategy on Gender in Agriculture and Rural Development. This Strategy can be considered one of the efforts by the Government of Viet Nam to gradually wipe out the gender gap in favour of rural women and ensure that rural women will fully benefit the fruits of national development.

## Article 15:

## Women's equal rights before the law and in civil transactions

Over the past 3 years, the principle of non-discrimination against women in civil transactions such as rights and obligations provided for by the law continues to be ensured and further upheld in the society. Women have the same opportunities as men in engaging independently in civil transactions, civil contracts, property management and prosecution procedures to protect their interest at the Courts

### *15.1 Ensuring equal legal status for women in civil transactions:*

As provided for by existing law, all civil transactions which are set up in conformity with the law and social ethics are respected and protected. Women's legal status in civil transactions has been further promoted. The State and society have created favourable conditions for women to assert themselves on an equal footing with men in engaging in civil transactions, entering into and carrying out civil contracts, managing business and standing as owner in property ownership certificates.

*On the rights to enterprise establishment and management*, as stipulated in Article 9 of the 1999 Enterprise Law, every individual regardless of sex, ethnicity, religion and social status who meets all conditions as provided by the law has the rights to establish and manage enterprises i.e. private company of limited liability, jointstock company, partnership company and private enterprises .

*On the land-use rights*, as stipulated in Article 1 of the 1998 amended and supplemented Land Law, ogarnisations, households, and individuals to whom the land is allocated ,leased by the State and land use right being transferred by other have rights and obligations of land users as stipulated by law; they have the rights to transfer, exchange, lease, pass on, mortgage their land use right. The Law makes no discrimination against the sex of the land users, everyone has equal rights and obligations to the land allocated to her/him by the State. In case the land is allocated by the State to a woman(in her own name or as a representative of the household) she has the same rights of a man in contracting the transfer, exchange, lease, mortgage of the land-use right and such rights are respected and protected by law.

*On the rights to property management*, in case women, individually or in cooperation with others, establish private companies and enterprises for business or production purpose, they have the independent and equal right as men to manage company property without requiring consent from their husbands or fathers.

Article 27 of the 2000 Marriage and the Family Law states that women have the right to put their names, as well as their husbands' in ownership certificates over property which is required for the registration. This enables women to realize the right of equality with men in property ownership and land-use rights especially in civil guaranteed transactions stipulated by Government Decree No 08/2000/ND dated 10 March, 2000 on the registration on guaranteed transactions. In case ownership certificates are in the husband's name, the wife's prior consent must be sought as she is a co-land user or co-house owner. This can be found in the result of social survey conducted in 3 localities: Ha Noi, Ha Nam and Hai Duong on the decisive role played by women over several important issues within the family. For instance, in decisions on production and business taken by house-holder , women account for 59.5% and men for 64.2%;for decisions on high-valued property purchase, the figures are 52.2% and 63.8%, respectively.

In property ownership or economic disputes (such as lawsuit on property in divorce case, on housing and housing land or on economic contracts, etc), according to the 1989 Ordinance on Procedures to Settle Civil Cases and the Ordinance on Procedures to settle economic cases in 1994, women have an independent right to personally engage prosecution procedures or to request a lawyer to protect their rights before the court.

Between 1998 and 1999, local courts across the country settled over 20000 civil cases mainly concerning housing and land disputes, damage compensation and debt claiming. About 25% women, in such cases, lodged the lawsuits (claimants) and directly engaged in prosecution procedures to protect their rights (and their children's) as regulated by law.

Courts process and settle cases without restricting, preventing or denying women's right to engage in litigation activities to protect their interests or the interests of organizations and businesses that they represent; women enjoy the full equality as men in this domain.

Reality from the implementation of Civil Code over the past two years shows that the number of civil contracts (particularly contracts to housing purchase and sale, contracts to borrow capital from the bank or high-valued property, etc) entered by women

has been on the rise. Rural areas also saw greater number of women representing the family (on behalf of their husbands, children, even their in-laws and mothers-in-law) to sign contracts to borrow capital from the bank and people's credit funds. Government Decree No 178/1999 ND dated 29 December, 1999 on loan guarantee of credit organizations allows poor women without capital for production to get access a small loan at credit organizations guaranteed by prestigious political-social organizations including the Vietnam Women's Union. The fundamental principles in civil transactions (voluntariness, honesty, freedom and equality) are strictly observed, contributing to eliminating discrimination against rural women in economic and civil transactions and fully observing Article 15 of CEDAW in reality.

***15.2 Women's Rights to freedom of movement and residence of choice:***

Women's equal rights to freedom of movement and of residence within the country, to freely travel abroad and return home as provided for by the law continue to be fully observed. Movement and choice of residence by each individual is decided according to his/her need, wish, capacity and circumstances without any restriction and prohibition under the law. Over the past 3 years, there has been no discrimination against women in realizing their rights to freedom of movement and residence of choice. Vietnamese citizens can freely travel abroad and return home without visa. They also enjoy freedom of movement within the country without any permission from authorities of any level. The results of 1999 census show that over the past 5 years (1994-1999) the migration rate is 2.87% for men and 2.83% for women out of which 68% women migrate due to family reason.

With the development of market economy, more and more people, both men and women, move from the countryside to urban areas to make a living. More than 1.2 million people have migrated between 1994 and 1999. In order to facilitate State management in household registration and ensure the rights to register permanent address, especially in major cities and the capital, Viet Nam's legal documents on registration of household members have been amended toward more liberal registration of household members of citizens in general and of women in particular. (Decree No.51/1997/ND-CP on the Registration and Management of Household Members and Decree No 83/1998/ND-CP on Residence Registration)

Women's equal right to freedom to choose their residence is reflected in the use of land for house construction and the rights to build house in accordance with the masterplan (Article 62 of the Constitution) and has been fully observed in Viet Nam over the past 2 years. Agencies concerned are studying and considering amendment to the Land Law, thus creating more favourable conditions and improving administrative procedures for land users in house construction.

## Article 16

## Women's equal rights in marriage and family relations

***16.1. Background:***

The principles of equality between men and women and non discrimination against women in marriage and family relations have been upheld and satisfactorily implemented in Viet Nam over the past three years. Thanks to greater law dissemination and education , integrated development of socio-economic policies and gradual removal of feudal prejudices and regressive customs on the marriage and family, women's status in the family and the society has been affirmed and enhanced.

Reality in Vietnam over the past three years shows that the advanced marriage principles of free choice, free consent, honesty, monogamy and equality between husband and wife has been brought into play in practice. The majority of the population abides by the Law on Marriage and Family as legal knowledge in this regard is further deepened .The percentage of men and women who realise the rights of free choice and free consent in marriage in line with the principle of free union has been on the rise. Improvement has been seen in the implementation of the principle of free and progressive marriage in areas of ethnic minorities.

According to reports made by various localities, in a great majority of Vietnamese families today, husbands and wives are equal on the basis of mutual respect, love and assistance in upbringing, caring and educating their children; the important role of women in the family and society has been affirmed and highlighted. Important domestic matters, particularly those relating to property management and settlement, child care and education are now discussed and agreed to between husband and wife.

However, in the stage of economic transition, social evils remain unabated and exert negative impacts on marriage and family relations. Incidences of forced marriage or obstructing free and progressive marriage still occur, especially in mountainous areas and areas inhabited by ethnic groups.

Reality from People's Court over the past 2 years shows that there has been a large number of cases on marriage and family relations. In the 1998-1999 period, about 90,000 cases of that nature were brought before courts at different levels. Such cases, especially divorces, become more and more complicated due to disputes in property division (such as housing, land, etc.). In some cases of divorce, including consensual divorce, the interests of women and children were not ensured.

Therefore, it is necessary to amend and supplement the 1996 Law on Marriage and Family, creating a stable legal foundation for marriage and family relations and exercising better protection of women and children's interests. Recently, the 7th session of the National Assembly of the 10th legislation held from 9 May to 9 June, 2000 adopted the amended and supplemented Law on Marriage and Family (hereinafter called the amended Law). This Law will enter into effect on 1 January, 2001 in replacement of the 1986 Law on Marriage and Family.

***16.2. Ensure women's equal rights in marriage and family relations in line with the Amended Law:***

*-The amended Law will contribute to building, respecting and protecting the progressive marriage and family regime, set legal standards and norms for domestic conducts, protecting lawful rights and interests of family members and inherit and develop*

*the fine traditions and ethics of the Vietnamese family in their endeavour to build a well-being, equal, progressive, happy and lasting family life* (Article 1). The Law also indentifies the fundamental principles of Viet Nam's marriage and family relations, namely: free consent , progressive , monogamy, equality between husband and wife. Marriage between Vietnamese citizens of different ethnic groups, religions, or between believers and non-believers or between Vietnamese citizens and foreigners are respected and protected under the law. Husband and wife have the obligations to implement the population and family-planning policies. Parents have the obligation to upbring children to become good citizens for the society. Discrimination against children is not accepted. The State and society are responsible for protecting women and children and assisting mothers in fulfilling their noble functions (Article 2).

-The amended Law (from Article 18 to Article 33) *provides more fully the rights and obligations of husband and wife in marriage and family relations* with new perception and ideology in accordance with the development of market economy in Viet Nam. Article 18 highlights the loyalty between husband and wife,their mutual love, respect, care and assistance to build up a well-being, equal, progressive, happy and lasting family life. Article 19 further affirms that the right to equality between men and women remains the fundamental principle of Viet Nam's marriage and family relations in the new phase of development: "*Husband and wife are equal in rights and obligations in all aspects of the family*".

*-In the personal relationship between husband and wife, women's right to equality is reflected in various aspects.* Husbands and wives have the right to choose residence without being bound by any customs, habits and administrative boundaries (Article 20). The wife has the same rights as her husband in deciding the place to live, thus putting an end to the century-old attitude: "like a boat is depending on its rudder, a wife must follows her husband" which has tied the destiny of the woman to her husband after the marriage.

According to Article 22, husband and wife respect each other's rights to freedom of belief and religion without any coercion and restriction as well as the rights to follow or not to follow any religion. Article 23 stipulates that husband and wife discuss, assist and create conditions for each other in choosing their respective jobs, studying and improving knowledge, professionalism and taking part in political, economic, cultural and social activities according to his/her desire and capacity.

In the course of intensified national industrialization and modernization and international integration, Vietnamese women are legally equal to men in family relations. This requires husbands to create conditions for and assist the wives to study and improve their level of knowledge, specifications, professionalism and foreign languages so that the latter can participate independently and equally in social life.

-One of the new and significant features of the amended Law is to *ensure the equality between wife and husband in property ownership certification in the names of both husband and wife.* Paragraph 2, Article 27 states that: "In case the property is owned by both husband and wife, it must be registered for possession rights as regulated by the law, names of the couple must be written down in the ownership certificate. The registration of property ownership serves as a measure to protect, in legal aspect, women's ownership over common property in marriage. In addition, this helps avoid disputes of possession rights between husband and wife and at the same time constitutes a legal

foundation for courts to settle properly the division of common property (in case of divorce and when dispute occurs) for better protection of each party's interest, especially of women. According to the principle of equality, the wife has same rights, interests and obligations as her husband in acquiring, using and settling common property (Article 28). In other words, if the husband enters into or carries out civil transactions relating to the common property with high value or being the only source of income of the family or using common property to invest, do business he has to discuss and seek his wife's consent. In case he can not obtain her agreement the civil contract is considered invalid ,thereby null and void .

-Women's equal right relating to property is also reflected in the *settlement of common property in case of divorce*. Reality from divorce cases, especially in rural areas in recent years shows that many women have been at a disadvantageous position from the division of property as their interests were not ensured. In order to address this issue, Article 94 of the 2000 Law on Marriage and Family clearly defines the principle of property division at divorce: " *In principle, common property of the couple is divided into two halves, taking into consideration the whole situation of each party, the state of property and contributions of each party to the formation, preservation and enlargement of the common property. Domestic work of both husband and wife is also regarded as income-generating work. The Law protects the legitimate rights of the wife and under-age children or mature but disabled children who are unable to fulfil their civil conduct capacity or to work and possess no property to feed themselves."*

Reality in Viet Nam shows that one of the most complicated issues at the court is *to protect the lawful rights of women and children when dividing the rights to land use and housing*. No detailed regulations in this regard are found in the 1959 and 1986 Laws on Marriage and Family. As a result, the intrepretation of the Law in this regard could not avoid inconsistency between the Courts. In the amended Law, the division of houses and the right to land-use at divorce is included in two Articles (Article 97 and 98). These principles are of prime importance and serve as the guideline for Courts and state agencies to provide detailed and consistent regulations and guidance on implementation throughout the country, taking into account the specific conditions of each area (rural, mountainous, urban, etc) in order to protect, in the best way, the rights of women and children.

-Women's equal rights in property-related relations also include *rights to ownership of their own property*. Wives have the rights to possess, use and make decisions about their own property (Para. 1, Article 33). However, they are still obliged to use part of that property to meet essential needs of their families in case the common property is not sufficient to meet the family's needs (Para.4, Article 33). In case the benefits deriving from personal property used as common property of families are the only source of living of the whole family, decisions about that separate property must be based on the consent of both wife and husband (Para5, Article 33). In other words, wife or husband has no right to unilaterally decide their own property if that *deprives the only source of living of the family*. This helps keep husbands from patriarchal behaviour, and women and children from being economically dependent on men, and at the same time ensure a lasting family life.

-Besides property-related relations, the new Law also stipulated *nurturing-related issues*, considering it an obligation in husband-wife, parents-children relationship and that among other family members with an ultimate aim of protecting the interests of women, children and elderly people. The principle of gender equality in nurturing is reflected in the provision that people to be nurtured, be they women or men, old or young, legitimate or illegitimate children, have the right to receive an amount of money or property (from people responsible for nurturing) for their daily essential needs. One discipline to ensure the enforcement of the nurturing obligations is included in the Criminal Code (Article 152). According to which, people responsible for nurturing and capable of realizing such obligation but deliberately refuse or ignore such obligations leading to serious consequences, will be penalized in the form of warning, reeducation without detention up to two years or imprisoned from three months to two years.

-*Equal rights of women in nurturing and educating children* are stipulated in Articles 34, 36, 37, 39, 45 and 46 of the new Law. Women are completely equal to men in exercising rights and obligations of caring for, feeding, protecting and educating children, representing children before the law or managing the property of juvenile children. In case of divorce, women and men still have equal rights and obligations for their children, regardless of whom they live with. In most cases, courts often decide to let mothers take care of their chilren, especially those still in need of breast-feeding. Husbands, though not directly feeding their children, still have the obligation to provide means to feed them.

In fact, thanks to good results in the activities of persuation and education in combination with population and family planning policies (each couple shall have one to two children), the number of divorces due to having "no son to continue the ancestral line" has remarkably declined. Women have all opportunities to exercise their equal rights with their husbands in deciding the number of children as well as the spacing of the children's age. Rural and mountainous women are able to get access to scientific information on nurturing, educating children, thus bringing down the infant mortality rate remarkably.

-*With regard to marriage*, the new Law provides that only men at the age of 20 or more, women at the age of 18 or more are eligible. This is a provision of principle applied to all Vietnamese citizens, regardless of ethnic origin, religion or family background, etc. If a marriage contravenes this provision, it is considered "premature marriage" (in contravention of the Law) and must be invalidate by the Court. It is stipulated in Articles 148 and 149 of the new Criminal Code that those who organize weddings and register marriages for people under the marriage age or not meeting the required criteria for marriage and if they continue to violate in spite of disciplinary measures taken, imprisonment of two years might be imposed.

Marriage registration in Viet Nam must comply with civil procedures as stipulated in Articles 11, 12, 13 and 14 of the new Law; any other procedures are not legally valid. Over the past 3 years, the overwhelming majority of people complied strictly with the provisions of the Regulations and Law on Procedures for Marriage Registration. However, in mountainous and remote areas, due to difficulties in transport, people sometimes cannot register their marriage as required by law. Therefore, it is stipulated in the new Law that marriages in these areas shall be guided specifically by the Government (Paragraph 2, Article 11) to create favourable conditions for the people and ensure opportunities for women to exercise their equal rights in marriage.

# CONCLUSION

As committed in the Second Report, in the past 3 years, the State of Vietnam has pushed forward the implementation of the CEDAW Convention. Encouraging progress has been recorded in legislative and institutional areas and reflected particularly in the results of the implementation of the Action Plan for the Advancement of Vietnamese Women untill the Year 2000. Some outstanding issues in the Second Report were resolved through active measures by competent authorities at all levels, mass organizations and the participation of the people. This is a vivid indication of the strong spirit to realize Vietnam's commitments with regard to the Beijing Action Platform for the Advancement of Women towards the goal of "Action for Equality-Development-Peace". Such efforts constitute important prerequisites for the actualization of rights to freedom and equality of Vietnamese women, gradually narrowing the existing gender gap and improving the status of women in the families as well as in the society.

The State of Vietnam is well aware of difficulties and obstacles standing on the way of eliminating all forms of gender discrimination given the country's current socio-economic situation. The Party and State of Vietnam are determined to pursue the path of equality between men and women which is one of major tasks of the Vietnamese revolution set forth since 1930.

In the cause of Renovation for "wealthy people, strong country, just, democratic and advanced society", this task will continue to be incorporated in the Socio-economic Development Strategy for the period of 2001-2010 and put in concrete terms by the National Strategy for the Advancement of Vietnamese Women for the period of 2001-2010.

Once again, the State of Vietnam is committed, by various measures,to continue to give strong impetus to the implementation of the CEDAW Convention./.

## List of legal documents relating to rights and interests of women that were adopted by Vietnam from 1998 to June 2000

| No | Title of documents | Date of issuance |
|---|---|---|
| 1 | Law on Nationality of Vietnam | 01 June 1998 |
| 2 | Revised Law on the Promotion of domestic investment | 01 June 1998 |
| 3 | Law on Petition and Denunciation | 2 December 1998 |
| 4 | Law on Education | 2 December 1998 |
| 5 | Law Amending and Supplementing a Number of Articles of the Land Law | 2 December 1998 |
| 6 | Law Amending and Supplementing a Number of Articles of the Press Law | 12 June 1999 |
| 7 | Enterprise Law | 12 June 1999 |
| 8 | Revised Criminal Code | 21 December 1999 |
| 9 | Revised Law on Marriage and the Family | 22 June 2000 |
| 10 | Law Amending and Supplementing a Number of Articles of the Law on Foreign Investment in Vietnam | 22 June 2000 |
| 11 | Law Amending and Supplementing a Number of Articles of the Criminal Proceedings Code | 22 June 2000 |
| 12 | Law on Science and Technology | 22 June 2000 |
| 13 | Ordinance No. 01/1998/PL-UBTVQH10 on Cadres and Public Servants | 26 February 1998 |
| 14 | Ordinance No. 06/1998/PL-UBTVQH10 on the Disabled | 30 July 1998 |
| 15 | Ordinance No. 10/1998/PL-UBTVQH10 on the Amendment and Supplementation of the Ordinance on Procedures for Administrative Cases | 25 December 1998 |
| 16 | Ordinance No. 08/1998/PL-UBTVQH10 on the Amendment of Article 21 of the Ordinance on Privileges | 1 December 1998 |

| | | |
|---|---|---|
| | for Revolutionary Activists, War Martyrs and their Families, War Invalids and Patients, Resistance Activists and those who made contribution to the Revolution | |
| 17 | Ordinance No. 09/1998/PL-UBTVQH10 on the Organization and Operation of Grassroots Reconciliation | 3 September 1999 |
| 18 | Ordinance No. 15/1999/PL-UBTVQH.QH10 on Labour Obligation for Public interest. | |
| 19 | Decree No. 01/1998/ND-CP on the Structure of Local Health care System | 3 January 1998 |
| 20 | Decree No. 29/1998/ND-CP on the Promulgation of the Regulation on the Exercise of Democracy at Commune Levels | 11 May 1998 |
| 21 | Decree No. 50/1998/ND-CP on Radiation Control and Safety | 16 July 1998 |
| 22 | Decree No.71/1998/ND-CP on the Promulgation of the Regulation on the Exercise of Democracy in Public Offices. | 8 September 1998 |
| 23 | Decree No.73/1999/ND-CP on Policy encouraging the Socialization of Education, Healthcare, Culture and Sports Activities | 19 August 1999 |
| 24 | Decree No. 83/1998/ND-CP on Residence Registration | |
| 25 | Decree No.89/1998/ND-CP on the Promulgation of Regulations on Temporary Arrest and Detention | 1 November 1998 |
| 26 | Decree No.93/1998/ND-CP on the Amendment and Supplementation of a Number of Articles of the Regulationson Social Insurance attached by the Decree No.12/CP dated 26 January 1995 | 21 December 1998 |
| 27 | Decree No.95/1998/ND-CP on the Recruitment, Employment and Management of Public Servants | 17 November 1998 |
| 28 | Decree No.96/1998/ND-CP on Job Cancellation for Cadres and Public Servants | 17 November 1998 |
| 29 | Decree No.97/1998/ND-CP on Disciplining against and Material Responsibility of Public Servants | 17 November 1998 |

| | | |
|---|---|---|
| 30 | Decree No.55/1999/ND-CP on the Implementation of the Ordinance on the Disabled | 15 April 1999 |
| 31 | Decree No.178/1999/ND-CP on Lending Guarantee of Credit Institutions | 29 December 1999 |
| 32 | Decree No.02/2000/ND-CP on Business Registration | 3 February 2000 |
| 33 | Decree No.08/2000/ND-CP on Registration for Guaranteed Transactions | 10 March 2000 |
| 34 | Decision No.135/1998/QD-TTg on Approval of the Socio-economic Development Programme for Mountainous and Remote Communes in Special Difficulties | 31 July 1998 |
| 35 | Decision No.50/1999/ QD-TTg on the Approval of Vocational Training Plan for the period of 1999-2000 | |
| 36 | Decision No.104/1999/QD-TTg on a Number of Policies for Young Volunteers who fulfilled their tasks during the Wars of Resistance | 14 April 1999 |
| 37 | Decision No.61/2000/QD-TTg on the Establishment of the National Commission for AIDS, Drugs and Prostitution Control | 5 June 2000 |
| 38 | Decision by the Minister of Public Health No.2792/1999/QD-BYT on the Promulgation of the Regulationson Mandates and Organization of the Centre for Mothers and Children under Provincial and City Departments of Health and Group for Mothers and Children under District, Town and City Health Centres. | 16 September 1999 |
| 39 | Decision by the Minister of Public Health No.3653/QD-BYT on the Promulgation of the Regulations on Mandates of Hamlets' Health Staff | 15 November 1999 |
| 40 | Inter-ministerial Resolution No.47/2000/NQLT/HLHPN-BNN of the Ministry of Agriculture and Rural Development and the Vietnamese Women's Union on the Assistance to Rural Women to Develop Production and Improve Quality of Life | 25 April 2000 |

# STATISTICAL ANNEXES

## 1. POPULATION

### 1.1 Population structure in terms of gender

| Population | | | | Average annual population growth 1989-1999 | | |
|---|---|---|---|---|---|---|
| | Total Number | Male | Female | General growth rate | Male | Female |
| 1/04/99* | 76327 | 37553 | 38774 | 1.70 | 1.83 | 1.58 |

*Note: * Preliminary figures*
*Source: Results of the 1999 Census*

### 1.2 Population and population structure in terms of gender and region, 1999*

| Regions | Total number | Gender structure | |
|---|---|---|---|
| | | Male | Female |
| Nation wide | 76327 | 49.2 | 50.8 |
| 1. Red River delta | 14800 | 48.8 | 51.2 |
| 2. Northeastern | 10860 | 49.5 | 50.5 |
| 3. Northwestern | 2228 | 50.1 | 49.9 |
| 4. Northcentral | 10007 | 49.1 | 50.9 |
| 5. South central coastal | 6526 | 48.9 | 51.1 |
| 6. Central highland | 3062 | 50.7 | 49.3 |
| 7. South Eastern | 12711 | 49.1 | 50.9 |
| 8. Mekong river delta | 16133 | 49 | 51.0 |

**Note:** * *Preliminary figures*
*Source: Central Steering Committee on census: Census. extrapolation from 3% Sample. Hanoi. January 2000*

### 1.3 Population structure in terms of gender and age groups, as of 1 April 1999**

| Age Group | Total number (1000) | Gender structure | | Population structure in terms of age groups | | |
|---|---|---|---|---|---|---|
| | | Male | Female | Total number | Male | Female |
| Total | 76327 | 49.2 | 50.8 | 100.0 | 100.0 | 100.0 |
| 0-4 | 7270 | 52.1 | 47.9 | 9.5 | 10.1 | 9.0 |
| 5-9 | 9161 | 51.8 | 48.2 | 12.0 | 12.6 | 11.4 |
| 10-14 | 9132 | 51.7 | 48.3 | 12.0 | 12.6 | 11.4 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 15-19 | 8218 | 50.2 | 49.8 | 10.8 | 11.0 | 10.6 |
| 20-24 | 6765 | 48.5 | 51.5 | 8.9 | 8.8 | 9.0 |
| 25-29 | 6474 | 49.8 | 50.2 | 8.5 | 8.6 | 8.4 |
| 30-34 | 6001 | 49.7 | 50.3 | 7.9 | 8.0 | 7.8 |
| 35-39 | 5551 | 48.6 | 51.4 | 7.3 | 7.2 | 7.3 |
| 40-44 | 4509 | 47.5 | 52.5 | 5.9 | 5.7 | 6.1 |
| 45-49 | 3105 | 47.3 | 52.7 | 4.1 | 3.9 | 4.2 |
| 50-54 | 2137 | 45.2 | 54.8 | 2.8 | 2.6 | 3.0 |
| 55-59 | 1804 | 44.0 | 56 | 2.4 | 2.1 | 2.6 |
| 60-64 | 1767 | 43.9 | 56.1 | 2.3 | 2.1 | 2.6 |
| 65+ | 4433 | 40.6 | 59.4 | 5.8 | 4.8 | 6.8 |

*Note: ** Preliminary figures*
*Source: Central Steering Committee on census: Census, extrapolation from 3% sample.*

**1.4 Migration rate in five years previous to 1 April 1999**

Unit: %

| Regions | Migration rate | | Emigration rate | | Pure migration rate | |
|---|---|---|---|---|---|---|
| | Male | Female | Male | Female | Male | Female |
| - National wide | 2.97 | 2.83 | 2.97 | 2.83 | 0.00 | 0.00 |
| - Regions:* | | | | | | |
| 1. Red river delta | 2.12 | 1.68 | 3.22 | 2.77 | -1.10 | -1.09 |
| 2. North eastern | 1.44 | 1.25 | 2.81 | 2.30 | -1.38 | -1.06 |
| 3. North western | 1.35 | 1.22 | 1.53 | 1.33 | -0.19 | -0.11 |
| 4. North central | 0.85 | 0.58 | 3.67 | 3.78 | -2.82 | -3.21 |
| 5. South central coastal | 1.92 | 1.89 | 3.22 | 3.20 | -1.30 | -1.31 |
| 6. Central highland | 9.87 | 9.05 | 2.08 | 1.73 | 7.79 | 7.33 |
| 7. South eastern | 7.79 | 8.24 | 2.96 | 2.63 | 4.83 | 5.61 |
| 8. Mekong river delta | 1.66 | 1.62 | 2.69 | 3.05 | -1.03 | -1.43 |

*Source: 1999 Census: extrapolation from 3% sample.*

**1.5 Causes of migration in terms of gender:**

Unit: %

| Causes of | 1992-1993 | | 1997-1998 | |
|---|---|---|---|---|
| | Male | Female | Male | Female |
| 1. Economic | 20.2 | 22.0 | 18.4 | 18.5 |
| 2. Natural disasters | 37.4 | 6.5 | 35.7 | 5.3 |
| 3. Family | 33.8 | 62.3 | 37.2 | 68.5 |
| 4. Others | 8.6 | 9.2 | 8.7 | 7.7 |

| | | | | |
|---|---|---|---|---|
| 5. Total | 100.0 | 100.0 | 100.0 | 100.0 |

*Source: - Vietnam Living Standard Survey (VLSS) 1992-1993. General Statistical Office (GSO)- and State Planning Commitee (SPC)*
*- VLSS 1997-1998*
*GSO Aug 1999 P.24*

## II. LABOUR:

### 2.1 Labour force

Unit: Thousand persons.

| | 1994 | | | 1999 | | |
|---|---|---|---|---|---|---|
| | Total number | Male | Female | Total number | Male | Female |
| 16-54 | 35102 | 16739 | 18363 | 41056 | 20009 | 21047 |
| 16-59 | 37165 | 17610 | 19555 | 42860 | 20803 | 22057 |
| 15-59 | 38733 | 18396 | 20337 | 44566 | 21689 | 22876 |

*Source: GSO, 1999: Census*
*(sample survey result): - GSO 1995: Mid-term demographic survey (1994)*

### 2.2 Labour force growth 1994-1999

Unit: %

| Age group | Total | Male | Female |
|---|---|---|---|
| 16-54 | 3.13 | 3.57 | 2.73 |
| 16-59 | 2.85 | 3.33 | 2.41 |
| 15-59 | 2.81 | 3.29 | 2.35 |

*Note: Formula for growth rate calculation:* $r = \frac{\text{Ln}(Pt/Po)}{t}$

### 2.3 Structure of population of over 15 years age by gender and status of economic activities.

| Status of economic activities | 1996 | | | | 1997 | | | | 1998 | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Total | | Gender structure | | Total | | Gender Structure | | Total | | Gender Structure | |
| | Male(M) | Female(F) | M | F | M | F | M | F | M | F | M | F |
| Total | 22775 | 25681 | 47.0 | 53.0 | 23939 | 26261 | 47.7 | 52.3 | 24765 | 27602 | 47.3 | 52.7 |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Involvement in economic activities | 17715 | 18152 | 49.4 | 50.6 | 18144 | 18153 | 50.0 | 50.0 | 18687 | 18720 | 50.0 | 50.0 |
| Non-involvement in economic activities | 5060 | 7529 | 40.2 | 59.8 | 5795 | 8108 | 41.7 | 58.3 | 6078 | 8881 | 40.6 | 59.4 |

*Source: Current status of Labour and Employment in Vietnam in 1996, 1997, 1998 Statistical Publishing House.*

**2.4 Ratios of full-time employed population in last 12 months by occupation and gender**

| Occupation | Total | Gender structure | |
|---|---|---|---|
| | | Male | Female |
| General | 100 | 48.3 | 51.7 |
| Leaders | 0.99 | 81.8 | 18.2 |
| Science-Technology | 0.39 | 82.8 | 17.2 |
| Healthcare | 0.57 | 47.7 | 52.3 |
| Education | 1.95 | 26.6 | 73.4 |
| Others | 2.29 | 59.8 | 40.2 |
| Security-Sale services | 11.18 | 31.4 | 68.6 |
| Agriculture-Forestry-Fisheries | 62.07 | 46.6 | 53.4 |
| Handicraft-Processing | 10.68 | 59.3 | 40.7 |
| Machine assembly and operation | 1.45 | 93.7 | 6.3 |
| Simple works | 8.37 | 57.4 | 42.6 |
| Others not listed above | 0.06 | 0.0 | 100.0 |

*Source: GSO 2000 Vietnam Living Standard Survey 1997-1998 P.166*

## III. WOMEN AND HOUSEHOLD ECONOMY

**3.1 Gender structure of household heads in age groups.**

Unit: %

| Age groups | 1992-1993 Gender structure | | 1997-1998 Gender structure | |
|---|---|---|---|---|
| | Male | Female | Male | Female |
| General | 73.1 | 26.9 | 78.4 | 21.6 |
| <20* | 90.0 | 10.0 | 100.0 | 0.0 |
| 20-24 | 80.5 | 19.5 | 91.5 | 8.5 |

| | | | | |
|---|---|---|---|---|
| 25-29 | 85.5 | 14.5 | 86.2 | 13.9 |
| 30-34 | 81.7 | 18.3 | 87.9 | 12.1 |
| 35-39 | 76.7 | 23.3 | 83.0 | 17.0 |
| 40-44 | 73.3 | 26.7 | 83.4 | 15.6 |
| 45-49 | 71.4 | 28.6 | 77.0 | 23.0 |
| 50-54 | 62.3 | 37.7 | 75.0 | 25.0 |
| 55-59 | 66.9 | 33.2 | 69.5 | 30.5 |
| 60-64 | 67.6 | 32.5 | 70.0 | 30.0 |
| 65+ | 62.4 | 37.6 | 68.2 | 31.8 |

*Note: 100 denotes the majority, O denotes very small proportion*
*Source: GSO and SPC VLSS 1992-1993*
*GSO VLSS 1997-1998*

**3.2 Distribution of household heads in income groups**

Unit: %

| | Total | Very poor | Poor | Middle | Rich | Fairly rich |
|---|---|---|---|---|---|---|
| 1992-1993 | | | | | | |
| - Male | 100.0 | 95.6 | 3.0 | 0.3 | 0.7 | 0.7 |
| - Female | 100.0 | 42.2 | 40.9 | 5.3 | 5.7 | 5.9 |
| 1997-1998 | | | | | | |
| - Male | 100.0 | 97.3 | 2.0 | 0.1 | 0.0 | 0.0 |
| - Female | 100.0 | 46.9 | 41.1 | 3.6 | 4.0 | 4.0 |

*Source: GSO and SPC - VLSS*
*GSO - VLSS 1997 - 1998*

**3.3 Annual average per capita income by age groups and gender of house hold heads in 1997-1998**

Unit: Thousand dongs

| Age group | Total | Gender | |
|---|---|---|---|
| | | Male | Female |
| Total | 3465 | 3239 | 4362 |
| - <30 | 2785 | 2621 | 4266 |
| - 30-39 | 3113 | 2891 | 4494 |
| - 40-49 | 3465 | 3218 | 4603 |
| - 50-59 | 3899 | 3277 | 4372 |
| - 60+ | 3826 | 3729 | 4056 |

*Source: GSO VLSS 1997-1998*

**3.4 Distribution of household heads by highest educational levels achieved**

Unit: %

| Educational levels | 1992-1993 | | 1997-1998 | |
|---|---|---|---|---|
| | Male | Female | Male | Female |
| Total | 100.0 | 100.0 | 100.0 | 100.0 |
| Non-degree | 29.7 | 53.6 | 30.8 | 52.6 |
| Finished primary school | 27.1 | 17.1 | 25.5 | 14.3 |
| Finished secondary school | 25.9 | 16.6 | 24.1 | 16.2 |
| Finished high school | 5.3 | 3.0 | 5.4 | 4.3 |
| Primary vocational training | 5.2 | 2.9 | 5.1 | 4.1 |
| Technical workers training | 4.3 | 5.7 | 6.4 | 6.0 |
| College, university education and upwards | 2.7 | 1.1 | 7.7 | 2.5 |

*Source: GSO and SPC - VLSS 1992-1993*
*GSO VLSS 1997-1998*

## IV. WOMEN AND HEALTH

**4.1 Specific fertility rates from April 1998 to March 1999**

Unit: Child per woman

| Age groups | Nationwide | Urban area | Rural area |
|---|---|---|---|
| 15-19 | 0.0289 | 0.0140 | 0.0333 |
| 20-24 | 0.1580 | 0.0932 | 0.1811 |
| 25-29 | 0.1348 | 0.1058 | 0.1457 |
| 30-34 | 0.0810 | 0.0729 | 0.0841 |
| 35-39 | 0.0409 | 0.0340 | 0.0435 |
| 40-44 | 0.0178 | 0.0128 | 0.0198 |
| 45-49 | 0.0056 | 0.0023 | 0.0069 |
| TFR | 2.33 | 1.67 | 2.57 |

*Source: 1999 Census: generalised results from 3% sample P.98*

**4.2 Number of child births and number of surviving children per woman by age groups**

Unit: number of children per woman

| Age groups | Number of child births | | Average number of surviving children | |
|---|---|---|---|---|
| | DTGK 1994 | DHS 1997 | DTGK 1994 | DHS 1997 |
| 15-19 | 0.04 | 0.04 | 0.03 | 0.03 |
| 20-24 | 0.64 | 0.61 | 0.60 | 0.58 |
| 25-29 | 1.66 | 1.50 | 1.56 | 1.44 |
| 30-34 | 2.57 | 2.33 | 2.46 | 2.21 |
| 35-39 | 3.49 | 3.01 | 3.09 | 2.84 |
| 40-44 | 4.12 | 3.64 | 3.73 | 3.39 |
| 45-49 | 4.62 | 4.08 | 4.12 | 3.25 |
| Total | 1.90 | 1.86 | 1.74 | 1.75 |

Note: *DTNKHGK: Mid-term demographic survey*
*DHS: Demographic and healthcare survey*
*Source: GSO . Vietnam mid-term demographic survey. Hanoi 1995. p.42*
*National Committee on Population and Family Planning. 1997. p.32*

**4.3 Average number of children per woman by mothers' educational levels**

Unit: number of children per woman

| Educational Levels | 1994* | 1997** |
|---|---|---|
| 1. Never go to school | 4.02 | 5.13 |
| 2. Not finished primary school | 3.98 | 4.56 |
| 3. Finished primary school | 3.06 | 4.22 |
| 4. Finished secondary school | 2.58 | 3.30 |
| 5. Finished high school and upwards | 1.87 | 2.29 |

*Note: * Denotes number of married women within 15-49 age group.*
*** Denotes number of childbirths of women within 40-49 age group.*

**4.4 Morbidity rate of men and women by age groups**

Unit: %

| Age groups | Male | Female |
|---|---|---|
| Total | 38.2 | 44.8 |
| 0-4 | 53.0 | 47.9 |

| | | |
|---|---|---|
| 5-9 | 38.2 | 39.9 |
| 10-14 | 31.0 | 30.8 |
| 15-19 | 25.7 | 28.7 |
| 20-24 | 25.3 | 31.2 |
| 25-29 | 28.6 | 40.5 |
| 30-34 | 36.4 | 44.8 |
| 35-39 | 38.4 | 48.7 |
| 40-44 | 40.8 | 50.9 |
| 45-49 | 44.3 | 51.9 |
| 50-54 | 47.5 | 60.0 |
| 55-59 | 53.6 | 63.0 |
| 60-64 | 51.7 | 66.2 |
| 65+ | 65.8 | 73.0 |

*Note: Statistics obtained 4 weeks before survey time.*
*Source: GSO VLSS, 1997-1998*

4.5. Morbidity rate (unable to work and taking medical examination and treatment) in terms of gender and population groups

Unit:%

| | Medical examination and treatment | | Illness unable to work | |
|---|---|---|---|---|
| | Men | Women | Men | Women |
| *Total* | *27.6* | *29.0* | *47.7* | *46.9* |
| Very poor | 23.1 | 25.1 | 56.3 | 56.6 |
| Poor | 25.3 | 26.6 | 50.7 | 47.8 |
| Average | 26.1 | 29.7 | 48.1 | 46.7 |
| Rich | 31.4 | 29.3 | 44.8 | 45.2 |
| Very rich | 32.5 | 34.6 | 37.6 | 37.9 |

*Note: - Data recorded 4 weeks before the survey date*
*Source: GSO: VLSS 1997-1998*

**4.6. Adult nutrition situation in terms of gender in urban and rural areas, 1997-1998**

Unit: %

| | Men | | | Women | | |
|---|---|---|---|---|---|---|
| | Total | Urban | Rural | Total | Urban | Rural |
| Very thin | 2.2 | 3.0 | 2.0 | 4.5 | 3.7 | 4.7 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Thin | 17.5 | 15.7 | 18.1 | 19.0 | 14.3 | 20.6 |
| Slightly thin | 39.6 | 31.2 | 42.4 | 9.9 | 7.9 | 10.7 |
| Average | 38.2 | 43.3 | 36.4 | 58.3 | 57.0 | 58.7 |
| Fat | 2.4 | 6.6 | 1.0 | 7.5 | 15.0 | 4.9 |
| Very fat | 0.1 | 0.3 | 0.03 | 0.9 | 2.2 | 0.4 |
| Average BMI | 19.8 | 20.4 | 19.5 | 19.9 | 20.8 | 19.6 |

*Source: GSO: VLSS 1997-1998, page 101*

4.7. Rate of Men and Women suffering diseases and having medical examination in terms of health facilities and types

Unit: %

| | Men | Women |
|---|---|---|
| ***Total*** | ***27.6*** | ***29.0*** |
| ***Health facilities*** | | |
| 1. Public hospital | 7.7 | 7.5 |
| 2. Commune clinic | 6.6 | 6.5 |
| 3. Poli-clinic | 0.6 | 0.7 |
| 4. Other public health facilities | 0.3 | 0.3 |
| 5. Private premises | 10.1 | 11.0 |
| 6. Traditional herb doctor | 1.8 | 2.7 |
| 7. Doctors on call | 2.5 | 3.0 |
| ***Health type*** | | |
| 1.Public | 15.2 | 15.0 |
| 2.Private | 11.8 | 13.7 |
| 3.Others | 2.6 | 3.0 |

*Note: - Data recorded 4 weeks before the survey date*
*Source: GSO: VLSS, 1997-1998*

4.8. Rate of children under 10 having at least one vaccination in terms of gender, urban, rural areas and regions.

Unit:%

| | Total | Gender | |
|---|---|---|---|
| | | Men | Women |
| Total | 90.4 | 90.1 | 90.7 |
| Urban | 94.7 | 94.8 | 94.7 |
| Rural | 89.6 | 89.2 | 90.0 |
| *- Area** | | | |
| Northern mountainous | 88.9 | 89.2 | 88.7 |

| | | | |
|---|---|---|---|
| and midland area | | | |
| Red River Delta | 95.1 | 95.0 | 95.2 |
| Northern Central | 93.9 | 93.8 | 94.1 |
| Central Coast | 88.7 | 88.1 | 89.2 |
| Central Highland | 79.1 | 79.9 | 78.1 |
| Eastern South | 93.3 | 93.4 | 93.3 |
| Mekong Delta | 87.7 | 86.2 | 89.2 |

*Source: GSO: VLSS 1997-1998*

**4.9. Reproductive health care**

| Criteria | 1996 | 1997 | 1998 |
|---|---|---|---|
| 1. Number of gynaecological examinations ( thousand times) | 6254.5 | 6899.6 | 7060.8 |
| 2. Number of people having gynaecological treatment ( Thousand persons) | 2252.7 | 2584.7 | 2581.1 |
| 3. Number of pregnancy examinations ( thousand times) | 3163.0 | 3296.8 | 3301.4 |
| 4. Number of deliveries attended by health workers (%) | 88.0 | 95.0 | 95.8 |

*Source: Statistical Year Book 1997,1998*

**4.10. Number of HIV-positive people**

| | Up to 12/1998 | Up to 12/1999 | Up to 7/7/2000 |
|---|---|---|---|
| Total | 10118 | 17046 | 21462 |
| % Men | 85.8 | 86.5 | 87.0* |
| % Women | 14.2 | 13.5 | 13.0* |

*Note: - Estimate*
*Source: National Committee for AIDS Prevention and Control*

4.11. Yearly medical expenditure per capita in terms of gender of household head and population group

Unit: 1000 VND

| | Total | Very poor | Poor | Average | Rich | Very rich |
|---|---|---|---|---|---|---|
| 1992-1993 | | | | | | |
| Total | 105 | 44 | 63 | 90 | 117 | 197 |
| Men | 101 | 44 | 59 | 84 | 144 | 191 |
| Women | 108 | 44 | 95 | 96 | 119 | 202 |
| 1997-1998 | | | | | | |
| Total | 144 | 54 | 92 | 123 | 173 | 313 |
| Men | 136 | 50 | 86 | 113 | 167 | 284 |
| Women | 151 | 57 | 98 | 132 | 178 | 364 |

*Source: GSO&SPC: VLSS 1992-1993;*
*GSO: VLSS 1997-199, p. 118*

## V. WOMEN AND EDUCATION AND CULTURE

5.1. Literacy rate among the population over 10 in terms of gender and age group

Unit: %

| Age group | 1992-1993 | | 1997-1998 | |
|---|---|---|---|---|
| | Men | Women | Men | Women |
| Total | 91.4 | 82.3 | 93.7 | 85.6 |
| 10 | 87.8 | 86.3 | 94.3 | 94.6 |
| 11 –14 | 90.1 | 92.0 | 96.6 | 95.3 |
| 15 –17 | 92.4 | 90.9 | 95.4 | 95.9 |
| 18 –24 | 92.3 | 92.5 | 93.4 | 93.6 |
| 25 - 34* | - | - | 94.0 | 93.0 |
| 35 – 39 | 95.7 | 90.7 | 95.8 | 94.6 |
| 40 – 44 | 94.4 | 86.1 | 95.8 | 90.2 |
| 45 – 49 | 95.4 | 79.3 | 95.2 | 88.2 |
| 50 – 54 | 94.5 | 74.9 | 96.4 | 82.3 |
| 55 - 59 | 88.4 | 64.3 | 93.7 | 77.6 |
| 60 - 64 | 87.5 | 50.9 | 90.9 | 66.8 |
| 65+ | 74.5 | 27.1 | 79.2 | 37.7 |

*Note: - Statistics for 1992-1993 n.a. (non-available)*
*Source: GSO&SPC: VLSS 1992-1993.*
*GSO Aug-1999: VLSS 1997-1998*

5.2. Literacy rate among the population over 10 in terms of gender in urban, rural and 7 areas

Unit:%

| | 1989 | | 1992-1993 | | 1997-1998 | |
|---|---|---|---|---|---|---|
| | Men | Women | Men | Women | Men | Women |
| Nationwide | 92.5 | 83.8 | 91.4 | 82.3 | 93.7 | 85.6 |
| Urban area | 96.8 | 91.5 | 96.3 | 90.7 | 97.1 | 91.6 |
| Rural area | 91.1 | 81.7 | 90.1 | 80.0 | 92.6 | 83.7 |
| Area | | | | | | |
| Northern mountainous and midland area | 87.7 | 76.7 | 90.6 | 81.6 | 93.8 | 83.3 |
| Red river Delta | 97.2 | 89.0 | 96.4 | 87.2 | 98.2 | 89.8 |
| Northern Central | 94.1 | 85.7 | 95.6 | 87.0 | 95.9 | 88.4 |
| Central Coast | 92.3 | 83.9 | 89.0 | 80.7 | 90.4 | 82.7 |
| Central Highland | 81.7 | 70.2 | 72.1 | 56.3 | 84.0 | 69.9 |
| Eastern South | 94.3 | 88.2 | 93.7 | 87.5 | 95.6 | 89.4 |
| Mekong Delta | 90.0 | 81.4 | 87.7 | 77.1 | 90.0 | 83.2 |

*Source: GSO Aug-1999: VLSS 1997-1998, p 30*
*For the year of 1989 statistics from: 1989 Census: Results of the Comprehensive Survey: Volume II , p 156*

**5.3. Literacy and Illiteracy rate, 1 April 1999**

| | Literacy | | | Illiteracy | | |
|---|---|---|---|---|---|---|
| | Total | Urban | Rural | Total | Urban | Rural |
| Men | 94.3 | 97.1 | 93.4 | 5.7 | 2.9 | 6.6 |
| 10-14 | 96.1 | 97.4 | 95.8 | 3.9 | 2.6 | 4.2 |
| 15-17 | 95.5 | 97.2 | 95.0 | 4.5 | 2.8 | 5.0 |
| 18-19 | 93.5 | 96.5 | 92.5 | 6.5 | 3.5 | 7.5 |
| 20-29 | 93.8 | 96.9 | 92.7 | 6.2 | 3.1 | 7.3 |
| 30-39 | 95.6 | 97.9 | 94.8 | 4.4 | 2.1 | 5.2 |
| 40-49 | 96.1 | 98.6 | 95.2 | 3.9 | 1.4 | 4.8 |
| 50+ | 89.4 | 94.6 | 87.8 | 10.6 | 5.4 | 12.2 |
| Women | 88.2 | 93.4 | 86.5 | 11.8 | 6.6 | 13.5 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 10-14 | 95.8 | 98.2 | 95.2 | 4.2 | 1.8 | 4.8 |
| 15-17 | 95.3 | 98.0 | 94.5 | 4.7 | 2.0 | 5.5 |
| 18-19 | 93.9 | 98.0 | 92.6 | 6.1 | 2.0 | 7.4 |
| 20-29 | 93.5 | 97.3 | 92.1 | 6.5 | 2.7 | 7.9 |
| 30-39 | 93.8 | 97.2 | 92.5 | 6.2 | 2.8 | 7.5 |
| 40-49 | 91.4 | 96.0 | 89.5 | 8.6 | 4.0 | 10.5 |
| 50+ | 63.8 | 75.6 | 60.2 | 36.2 | 24.4 | 39.8 |

*Source:The Central Steering Committee on Census and Housing: extrapolation from 3% sample.*

5.4. Enrolment rate in terms of gender and age group of the population within school age

Unit:%

| | 1992-1993 | 1997-1998 | | |
|---|---|---|---|---|
| Age group | Total | Total | Men | Women |
| | Total | | | |
| 6 – 10 | 110.6 | 114.7 | 119.1 | 110.1 |
| 11- 14 | 48.1 | 77.7 | 79.3 | 76.1 |
| 15 – 17 | 16.6 | 36.3 | 40.1 | 32.6 |
| 18 – 24 | 2.7 | 9.8 | 10.5 | 9.0 |
| | Typical schooling rate | | | |
| 6 – 10 | 84.4 | 95.2 | 95.7 | 94.6 |
| 11 – 14 | 69.0 | 85.5 | 88.3 | 82.5 |
| 15 – 17 | 25.5 | 52.1 | 58.0 | 46.3 |
| 18 – 24 | 4.2 | 14.6 | 16.9 | 12.2 |
| | Schooling rate at school age | | | |
| 6 – 10 | 78.0 | 92.6 | 93.5 | 91.7 |
| 11 – 14 | 36.0 | 61.6 | 61.1 | 62.2 |
| 15 – 17 | 11.4 | 28.8 | 30.3 | 27.4 |
| 18 – 24 | 1.8 | 9.3 | 10.0 | 8.5 |

*Source: GSO and SPC: VLSS 1992-1993.*
*GSO : VLSS 1997-1998*

5.5. Percentage of girl students among students in general education schools, vocational secondary schools, colleges and universities

Unit: 1000 persons

| | 1996-1997 | | 1997-1998 | |
|---|---|---|---|---|
| | Total | % women | Total | % women |
| Primary school | 10349 | 48.0 | 10438 | 47.7 |
| Junior secondary school | 4872 | 46.8 | 5254 | 47.0 |
| Senior secondary school | 1171 | 45.5 | 1393 | 46.4 |
| Vocational secondary school | 160.6 | 48.4 | 176.4 | 46.9 |
| University, college | 593.8 | 40.3 | 715.2 | 48.6 |
| College | 96.1 | 51.5 | 127.0 | 51.9 |
| University | 497.7 | 38.1 | 588.2 | 39.1 |

*Source: Center for Educational Information*
*Report on Girl Students in the Development of the Vietnamese Education, page 2*

## VI. PARTICIPATION OF WOMEN IN ADMINISTRATION AT ALL LEVELS

### 6.1. Gender Composition of National Assembly Deputies

Unit: %

| Position | Legislature 1981-1987 | | Legislature 1987-1992 | | Legislature 1992-1997 | | Legislature 1997-2002 | |
|---|---|---|---|---|---|---|---|---|
| | Men | Women | Men | Women | Men | Women | Men | Women |
| Deputy | 78.2 | 21.8 | 82.2 | 17.8 | 81.5 | 18.5 | 73.8 | 26.2 |
| Vice Presidents | 88.9 | 11.1 | 80.0 | 20.0 | 100 | 0.0 | 75.0 | 25.0 |
| Chairperson of Committee | 85.7 | 14.3 | 57.1 | 42.9 | 77.8 | 22.2 | 66.7 | 33.3 |

*Source: 1999 National Report on the Implementation of the CEDAW, p 125, 126, (English version)*

*Office of the National Assembly*

**6.2. Gender composition of leaders of the National Assembly**

Unit:%

| Position | Men | Women |
|---|---|---|
| 1. National Assembly Standing Committee | 71.4 | 28.6 |
| - President | 100.0 | 0.0 |
| - Vice President | 80.0 | 20.0 |
| - Committee Members | 62.5 | 37.5 |
| 2. Other Committees | 77.0 | 23.0 |
| - Chairperson of committee | 75.0 | 25.0 |
| - Vice chairperson of committee | 84.0 | 16.0 |
| - Committee Members | 76.3 | 23.7 |
| 3. Secretariat | 87.5 | 12.5 |
| - Chief | 100.0 | 0.0 |
| - Secretaries | 85.7 | 14.3 |

*Source: Deputies to the 10th Legislature of the National Assembly, 1997-2002. National Political Publishing House*

**6.3. Women in People's Council at all levels**

Unit:%

| Tenure | 1994 – 1999 | 1999 - 2004 |
|---|---|---|
| People's Council at provincial and city level | 20,4 | 22,5 |
| People's Council at district, precinct township | 18,1 | 20,7 |
| People's Council at commune, ward, small town | 14,1 | 16,34 |

*Source: Vietnam Women's Union*

6.4. Gender composition of leaders of People's council at grassroots level tenure 1994-1999

Unit: %

| Level | Men | Women |
|---|---|---|
| 1. Province, city | | |
| - Chairperson | 91.7 | 8.3 |
| - Vice chairperson | 96.5 | 3.5 |
| 2. District, precinct township | | |
| - Chairperson | 96.2 | 3.8 |
| - Vice chairperson | 92.2 | 7.8 |
| 3. Commune, ward, small town | | |
| - Chairperson of Commune People's council; | 97.3 | 2.3 |
| Chairperson of ward people's council | 89.8 | 10.2 |
| Chairperson of town people's council | 94.2 | 5.8 |

*Source: Scientific research KX01-BD03, Central Committee on Organization and Personnel 1997.*

**6.5. Gender Composition of Leaders at the Central Level**

Unit: %

| Position | 1991-1995 | | 1996-2000 | |
|---|---|---|---|---|
| | Men | Women | Men | Women |
| Minister and equivalent | 92.9 | 7.1 | 92.1 | 7.9* |
| Vice Minister and equivalent | 86.7 | 13.3 | 87.0 | 9.1* |
| Director General and equivalent | 91.0 | 9.0 | 87.9 | 12.1 |
| Director General of State- Owned-Enterprises | 97.3 | 2.7 | 96.0 | 4.0 |
| Deputy Director General of | 95.7 | 4.3 | 96.0 | 4.0 |

| | | | | |
|---|---|---|---|---|
| State- Owned-Enterprises | | | | |

*Source: from the National Report 1999 on the Implementation of the CEDAW Convention, p 126 (English version)*
* *Scientific research KX01-BD03*, Central Organisation Committee, 1997

6.6. Gender composition of leaders of People's committee at grassroots level tenure 1994-1999

**Unit: %**

| Position | Men | Women |
|---|---|---|
| 1. Province, city | | |
| - Chairperson | 96.7 | 3.3 |
| - Vice chairperson | 89.9 | 10.1 |
| - Director of Department | 92.7 | 7.3 |
| - Deputy Director of Department | 90.1 | 9.9 |
| 2. District, precinct township | | |
| - Chairperson | 95.5 | 4.5 |
| - Vice chairperson | 92.9 | 7.1 |
| 3. Commune, ward, small town | 97.7 | 2.3 |
| - Chairperson of Commune People's committee | 98.7 | 1.3 |
| - Chairperson of ward people's committee | 86.6 | 13.4 |
| - Chairperson of town people's committee | 98.0 | 2.0 |

*Source: Scientific research KX01-BD03*, Central Organisation Committee 1997